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TITLE 6—AGRICULTURAL CREDIT

Chapter III—Farmers Home Administration, Department of Agriculture

Subchapter C—Production and Subsistence Loans [FHA Instruction 441.5]

PART 345—MEMBERSHIP IN COOPERATIVE ASSOCIATIONS

REVOCATION OF PART

Part 345, Title 6, Code of Federal Regulations, is hereby revoked.

Dated: April 25, 1957.

[SEAL] H. C. SMITH,
Acting Administrator,
Farmers Home Administration.

[F. R. Doc. 57-3553; Filed, Apr. 30, 1957;
8:54 a. m.]

Chapter IV—Commodity Stabilization Service and Commodity Credit Corporation, Department of Agriculture

Subchapter B—Loans, Purchases, and Other Operations

[1957 C. C. C. Grain Price Support Bulletin 1, Supp. 1, Soybeans]

PART 421—GRAINS AND RELATED COMMODITIES

SUBPART—1957-CROP SOYBEAN LOAN AND PURCHASE AGREEMENT PROGRAM

A price support program has been announced for the 1957-crop of soybeans. The 1957 C. C. C. Grain Price Support Bulletin 1 (22 F. R. 2321) issued by the Commodity Credit Corporation and containing the regulations of a general nature with respect to price support operations for certain grains and other commodities produced in 1957, is supplemented as follows:

- Sec.
421.2626 Purpose.
421.2627 Availability of price support.
421.2628 Eligible soybeans.
421.2629 Warehouse receipts.
421.2630 Determination of quantity.
421.2631 Determination of quality.
421.2632 Maturity of loans.
421.2633 Determination of support rates.
421.2634 Warehouse charges.
421.2635 Inspection of soybeans under purchase agreements.
421.2636 Settlement.

AUTHORITY: §§ 421.2626 to 421.2636 issued under sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. 714b. Interpret or apply sec. 5, 62 Stat. 1072; secs. 301, 401, 63 Stat. 1053; 15 U. S. C. 714c, 7 U. S. C. 1447, 1421.

§ 421.2626 *Purpose.* Sections 421.2626 to 421.2636 state additional specific regulations which, together with the general regulations contained in the 1957 C. C. C. Grain Price Support Bulletin 1 (§§ 421.2201 to 421.2221), apply to loans and purchase agreements under the 1957-Crop Soybean Price Support Program.

§ 421.2627 *Availability of price support—(a) Method of support.* Price support will be made available through farm-storage and warehouse-storage loans and through purchase agreements.

(b) *Area.* Farm-storage and warehouse-storage loans and purchase agreements will be available wherever soybeans are grown in the continental United States, except that farm-storage loans will not be available in areas where the State committee determines that soybeans cannot be safely stored on the farm.

(c) *Where to apply.* Application for price support should be made at the office of the county committee which keeps the farm-program records for the farm.

(d) *When to apply.* Loans and purchase agreements will be available from the time of harvest through January 31, 1958, and the applicable documents must be signed by the producer and delivered to the office of the county committee not later than such final date. Applicable documents include the Producer's Note and Loan Agreement for warehouse-storage loans, the Producer's Note and Supplemental Loan Agreement for farm-storage loans, and the Purchase Agreement for purchase agreements.

(e) *Eligible producer.* An eligible producer shall be an individual, partnership, association, corporation, estate, trust, or other business enterprise, or legal entity, and wherever applicable, a State, political subdivision of a State, or any agency thereof producing soybeans in 1957 as landowner, landlord, tenant, or sharecropper. Two or more eligible producers may obtain a joint loan on eligible soybeans harvested by them if stored in the same farm-storage

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CFR SUPPLEMENTS (As of January 1, 1957)

The following Supplements are now available:

Title 16 (\$1.50)
Titles 28 and 29 (\$1.50)
Titles 30 and 31 (\$1.50)

Previously announced: Title 3, 1956 Supp. (\$0.40); Titles 4 and 5 (\$1.00); Title 7, Parts 1-209 (\$1.75), Parts 900-959 (\$0.50), Part 960 to end (\$1.25); Title 8 (\$0.55); Title 9 (\$0.70); Titles 10-13 (\$1.00); Title 17 (\$0.60); Title 18 (\$0.50); Title 20 (\$1.00); Title 21 (\$0.50); Titles 22 and 23 (\$1.00); Title 24 (\$1.00); Title 26, Parts 1-79 (\$0.35), Parts 80-169 (\$0.50), Parts 170-182 (\$0.35), Parts 183-299 (\$0.30), Part 300 to end, Ch. I, and Title 27 (\$1.00); Title 32, Parts 700-799 (\$0.50), Part 1100 to end (\$0.50); Title 39 (\$0.50); Title 49, Parts 1-70 (\$0.65), Parts 91-164 (\$0.60), Part 165 to end (\$0.70)

Order from Superintendent of Documents, Government Printing Office, Washington 25, D. C.

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facility. In the case of joint loans, each person signing the note shall be held jointly and severally responsible for the loan. Where the county office has experienced difficulties in settling farm-storage loans with a producer, the county committee shall determine that he is not eligible for a farm-storage loan. He shall be eligible, however, to obtain a warehouse-storage loan or sign a purchase agreement.

§ 421.2628 *Eligible soybeans.* Soybeans, to be eligible for price support, must meet all of the applicable requirements set forth in this section:

(a) The soybeans must have been produced in the continental United States in 1957 by an eligible producer.

(b) At the time the soybeans are placed under loan or delivered under a purchase agreement, the beneficial interest in the soybeans must be in the eligible producer tendering the soybeans for loan or for delivery under a purchase agreement and must always have been in him, or must have been in him and a former producer whom he succeeded before the soybeans were harvested. To meet the requirements of succession to a former producer, the rights, responsibilities and interest of the former producer with respect to the farming unit on which the soybeans were produced shall have been substantially assumed by the producer claiming succession. Mere purchase of the crop prior to harvest, without acquisition of any additional interest in the farming unit, shall not constitute succession. The county committee shall determine whether the requirements with respect to succession have been met.

(c) Soybeans, at the time they are placed under loan, and soybeans under purchase agreement which are in approved warehouse storage prior to notification by a producer of his intention to sell to CCC, must meet the following requirements:

(1) The soybeans must be soybeans of any class, grading No. 4 or better and containing not in excess of 14 percent moisture.

(2) The soybeans must not grade Garlicky or Weevily, or contain mercurial compounds or other substances poisonous to man or animals.

(3) If offered as security for a farm-storage loan, the soybeans must have been stored in the granary at least 30 days prior to their inspection, measurement, sampling, and sealing unless otherwise approved by the State committee.

(d) Except as otherwise provided in § 421.2635 (a), soybeans under purchase agreement stored in other than approved warehouse-storage shall not be eligible for sale to CCC if they do not meet the requirements of paragraph (c) (1) and (2) of this section on the basis of a pre-delivery inspection performed by a representative of the county committee, unless the producer complies with the conditions specified in § 421.2635 (a) and the soybeans on the basis of an inspection

made at the time of delivery meet the requirements set forth in paragraph (c) (1) and (2) of this section.

§ 421.2629 *Warehouse receipts.* Warehouse receipts representing soybeans in approved warehouse storage to be placed under loan or delivered under a purchase agreement, must meet the following requirements:

(a) Warehouse receipts must be issued in the name of the producer, must be properly endorsed in blank so as to vest title in the holder, and must be receipts issued on a warehouse approved by CCC under the Uniform Grain Storage Agreement which indicate that the soybeans are insured, or must be receipts issued on warehouses operated by Eastern common carriers under tariffs approved by the Interstate Commerce Commission for which custodian agreements are in effect which indicate that the soybeans are insured.

(b) Each warehouse receipt or the warehouseman's supplemental certificate (in duplicate), properly identified with the warehouse receipt, must show: (1) Gross weight or bushels, (2) class, (3) grade, (4) test weight, (5) moisture, and (6) any other grading factor(s) when such factor(s), and not test weight or moisture, determine the grade. For soybeans grading Nos. 3 or 4, the percentage of splits, total damage, heat damage and foreign material, if any, must also be shown. In the case of warehouse receipts issued for soybeans delivered by rail or barge, the grading factors on the warehouse receipt or the warehouseman's supplemental certificate must agree with the inbound inspection certificate for the car or barge, if such certificate is issued.

(c) A separate warehouse receipt must be submitted for each grade and class of soybeans.

(d) The warehouse receipt may be subject to liens for warehouse charges only to the extent indicated in § 421.2634.

§ 421.2630 *Determination of quantity.*

(a) The quantity of soybeans placed under farm-storage loan may be determined either by weight or by measurement. The quantity of soybeans placed under a warehouse-storage loan or delivered under a loan or under a purchase agreement shall be determined by weight.

(b) When the quantity is determined by weight, a bushel shall be 60 pounds of soybeans free of foreign material in excess of 2 percent. If the total weight of foreign material is in excess of 2 percent, the excess shall be deducted from the total quantity of soybeans in the determination of the net number of bushels of soybeans. For the purposes of this determination, foreign material shall be computed in tenths of 1 percent. In determining the quantity of sacked soybeans by weight, a deduction of $\frac{3}{4}$ of a pound for each sack shall be made.

(c) When the quantity of soybeans is determined by measurement, a bushel

shall be 1.25 cubic feet of soybeans testing 60 pounds per bushel. The quantity determined shall be adjusted by the following percentages of the quantity determined for 60-pound soybeans.

For soybeans testing:	Percent
60 pounds or over.....	100
59 pounds or over, but less than 60....	98
58 pounds or over, but less than 59....	97
57 pounds or over, but less than 58....	95
56 pounds or over, but less than 57....	93
55 pounds or over, but less than 56....	92
54 pounds or over, but less than 55....	90
53 pounds or over, but less than 54....	88
52 pounds or over, but less than 53....	87
51 pounds or over, but less than 52....	85
50 pounds or over, but less than 51....	83
49 pounds or over, but less than 50....	82

The quantity shall be further adjusted if the total weight of foreign material is in excess of 2 percent, by deducting the excess from the total quantity of soybeans in determining the net number of bushels of soybeans. For the purposes of this determination, foreign material shall be computed in tenths of 1 percent.

§ 421.2631 *Determination of quality.* The class, grade, grading factors, percentage of foreign material, and all other quality factors shall be determined in accordance with the method set forth in the Official Grain Standards of the United States for Soybeans, whether or not such determinations are made on the basis of an official inspection.

§ 421.2632 *Maturity of loans.* Loans mature on demand but not later than May 31, 1958.

§ 421.2633 *Determination of support rates.* Basic county support rates and the schedule of premiums and discounts for soybeans will be set forth in 1957 C. C. C. Grain Price Support Bulletin 1, Supplement 2, Soybeans. Farm-storage and warehouse-storage loans, and purchases under purchase agreements will be made on the basis of the support rate established for the county in which the soybeans were produced.

§ 421.2634 *Warehouse charges.* (a) Warehouse receipts and the soybeans represented thereby stored in approved warehouses operating under the Uniform Grain Storage Agreement may be subject to liens for warehouse handling and storage charges at not to exceed the Uniform Grain Storage Agreement rates from the date the soybeans are deposited in the warehouse for storage. Where the date of deposit (the date of the warehouse receipt if the date of deposit is not shown) on warehouse receipts representing soybeans stored in warehouses operating under the Uniform Grain Storage Agreement is on or before May 31, 1958, there shall be deducted in computing the amount of the loan or purchase price the storage charges per bushel as shown in the following table, unless written evidence has been submitted with the warehouse receipt that all warehouse charges, except receiving and loading out charges, have been prepaid through May 31, 1958.

Amount of deduction (cents per bushel)	Date of deposit (all dates inclusive)			
	Area I ¹	Areas II and III ^{2,3}	Area IV ⁴	Area V ⁵
18			Prior to May 29, 1957	Prior to June 15, 1957
17		Prior to June 3, 1957	May 29-June 18, 1957	June 15-July 4, 1957
16	Prior to June 9, 1957	June 3-June 24, 1957	June 19-July 9, 1957	July 5-July 24, 1957
15	June 9-July 1, 1957	June 25-July 16, 1957	July 10-July 30, 1957	July 25-Aug. 13, 1957
14	July 2-July 24, 1957	July 17-Aug. 7, 1957	July 31-Aug. 20, 1957	Aug. 14-Sept. 2, 1957
13	July 25-Aug. 16, 1957	Aug. 8-Aug. 29, 1957	Aug. 21-Sept. 10, 1957	Sept. 3-Sept. 22, 1957
12	Aug. 17-Sept. 8, 1957	Aug. 30-Sept. 20, 1957	Sept. 11-Oct. 1, 1957	Sept. 23-Oct. 12, 1957
11	Sept. 9-Oct. 1, 1957	Sept. 21-Oct. 12, 1957	Oct. 2-Oct. 22, 1957	Oct. 13-Nov. 1, 1957
10	Oct. 2-Oct. 24, 1957	Oct. 13-Nov. 3, 1957	Oct. 23-Nov. 12, 1957	Nov. 2-Nov. 21, 1957
9	Oct. 25-Nov. 16, 1957	Nov. 4-Nov. 25, 1957	Nov. 13-Dec. 3, 1957	Nov. 22-Dec. 11, 1957
8	Nov. 17-Dec. 9, 1957	Nov. 26-Dec. 17, 1957	Dec. 4-Dec. 24, 1957	Dec. 12-Dec. 31, 1957
7	Dec. 10, 1957-Jan. 1, 1958	Dec. 18, 1957-Jan. 8, 1958	Dec. 25, 1957-Jan. 14, 1958	Jan. 1-Jan. 20, 1958
6	Jan. 2-Jan. 24, 1958	Jan. 9-Jan. 30, 1958	Jan. 15-Feb. 4, 1958	Jan. 21-Feb. 9, 1958
5	Jan. 25-Feb. 16, 1958	Jan. 31-Feb. 21, 1958	Feb. 5-Feb. 25, 1958	Feb. 10-Mar. 1, 1958
4	Feb. 17-Mar. 11, 1958	Feb. 22-Mar. 15, 1958	Feb. 26-Mar. 18, 1958	Mar. 2-Mar. 21, 1958
3	Mar. 12-Apr. 3, 1958	Mar. 16-Apr. 6, 1958	Mar. 19-Apr. 8, 1958	Mar. 22-Apr. 10, 1958
2	Apr. 4-Apr. 26, 1958	Apr. 7-Apr. 28, 1958	Apr. 9-Apr. 29, 1958	Apr. 11-Apr. 30, 1958
1	Apr. 27-May 31, 1958	Apr. 29-May 31, 1958	Apr. 30-May 31, 1958	May 1-May 31, 1958

¹ Area I: Arizona, California, Idaho, Nevada, Oregon, Utah, Washington.

² Area II: Minnesota, Montana, North Dakota, South Dakota (also Superior, Wisconsin).

³ Area III: Colorado, Illinois, Iowa, Kansas, Missouri, Nebraska, Wyoming, Wisconsin (except Superior).

⁴ Area IV: Arkansas, Connecticut, Delaware, Indiana, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New Mexico, New York, Ohio, Oklahoma, Pennsylvania, Rhode Island, Texas, Vermont, Virginia, West Virginia.

⁵ Area V: Alabama, Florida, Georgia, Mississippi, North Carolina, South Carolina, Tennessee.

(b) Warehouse receipts and the soybeans represented thereby stored in approved warehouses operated by Eastern common carriers may be subject to liens for warehouse elevation (receiving and delivering) and storage charges from the date of deposit at rates approved by the Interstate Commerce Commission. There shall be deducted in computing the amount of the loan or purchase price, the amount of the approved tariff rate for storage (not including elevation), which will accumulate from the date of deposit through May 31, 1958, unless written evidence has been submitted with the warehouse receipt that the storage charges have been prepaid. The county office shall request the CSS commodity office to determine the amount of such charges. Where the producer presents evidence showing that elevation charges have been prepaid, the amount of the storage charges to be deducted shall be reduced by the amount of the elevation charges prepaid by the producer.

§ 421.2635 *Inspection of soybeans under purchase agreement*—(a) *Predelivery inspection*. Where the producer has given written notice within the 30-day period prior to the loan maturity date of his intent to sell his soybeans stored in other than an approved warehouse under purchase agreement to CCC, the county office shall make an inspection of the soybeans and obtain a sample of the soybeans and submit it for grade analysis within the 30-day period, or as soon as possible thereafter but prior to delivery of the soybeans. If the soybeans, on the basis of the predelivery inspection, are of a quality which meets the requirements for a farm-storage loan, the county office shall issue delivery instructions on or after the final date of the 30-day period or the date of inspection, whichever is later. The producer must then complete delivery within a 15-day period immediately following the date the county office issues delivery instructions, unless the county office determines that more time is needed for delivery. The producer whose soybeans are stored in other than an approved

warehouse and whose soybeans are not of a quality eligible for a loan at the time of the predelivery inspection, shall be notified in writing by the county office that his soybeans are not eligible for purchase by CCC. If, nevertheless, the producer informs the county office that he will condition the soybeans, or otherwise take action to make the soybeans eligible and insists upon delivery of the soybeans, the county office shall issue delivery instructions. The producer shall be further informed that if such soybeans, upon delivery and before purchase, do not meet the eligibility requirements of § 421.2628 (c) (1) and (2) as determined on the basis of a sample taken at the time of delivery, the soybeans shall not be accepted for purchase by CCC. A predelivery inspection shall not be made on soybeans stored commingled in warehouses not approved for storage or on soybeans in an unapproved warehouse which are stored so that the identity of the producer's soybeans is maintained but a predelivery inspection is not possible. When a predelivery inspection is not made, such soybeans at the time of delivery must meet the eligibility requirements of § 421.2628 (c) (1) and (2).

(b) *Inspection of soybeans stored by producer after maturity date*. The producer may be required to retain the soybeans stored in other than approved warehouse storage under purchase agreement for a period of 60 days after the loan maturity date without any cost to CCC. CCC will not assume any loss in quantity or quality of the soybeans covered by a purchase agreement occurring prior to delivery to CCC, except for quality deterioration under the following circumstances. If a producer has properly requested delivery instructions for soybeans which were determined to be of an eligible grade and quality at the time of the predelivery inspection, and CCC cannot accept delivery within the 60-day period following the loan maturity date, the producer may notify the county office at any time after such 60-day period that the soybeans are going out of condition or are in danger of going out of condition. Such notice must

be confirmed in writing. If the county office determines that the soybeans are going out of condition or are in danger of going out of condition and that the soybeans cannot be satisfactorily conditioned by the producer, and delivery cannot be accepted within a reasonable length of time, the county office shall obtain an inspection and grade and quality determination. When delivery is completed, settlement shall be made on the basis of such grade and quality determination or on the basis of the grade and quality determination made at the time of delivery, whichever is higher, and on the basis of the quantity actually delivered.

§ 421.2636 *Settlement*—(a) *Settlement value*—(1) *Farm-storage loans*. In the case of eligible soybeans delivered to CCC from farm-storage under the loan program, settlement shall be made at the applicable support rate for the county in which soybeans were produced. The support rate shall be for the grade and quality of the total quantity of soybeans eligible for delivery. If, upon delivery, the soybeans under farm-storage loan are of a grade or quality for which no support rate has been established, the settlement value shall be computed at the basic support rate adjusted for premiums and discounts, if any, applicable to the grade and quality of the soybeans placed under loan, less the difference, if any, at the time of delivery, between the market price for the grade and quality placed under the loan and the market price of the soybeans delivered, as determined by CCC: *Provided, however*, That if such soybeans are sold by CCC in order to determine their market price, the settlement value shall not be less than such sales price: *And provided further*, That if, upon delivery, the soybeans contain mercurial compounds or other substances poisonous to man or animals, such soybeans shall be sold for seed (in accordance with applicable State seed laws and regulations), fuel, or industrial uses where the end product will not be consumed by man or animals, and the settlement value shall be the same as the sales price: *Provided further*, That if CCC is unable to sell such soybeans for the use specified above, the settlement value shall be the market value, if any, as determined by CCC, as of the date of delivery.

(2) *Warehouse-storage loans*. Settlement for eligible soybeans under warehouse-storage loans not redeemed on maturity and represented by warehouse receipts issued by an approved warehouse shall be made on the basis of the weight, grade, and other quality factors shown on the warehouse receipts or accompanying documents at the applicable support rate for the county in which the soybeans were produced.

(3) *Purchase agreements*—(i) *Delivery from farm-storage*. Settlement for soybeans delivered to CCC from farm-storage meeting the eligibility requirements of § 421.2628 (c) (1) and (2), as determined by a reinspection at the time of delivery, shall be made at the applicable support rate for the grade and quality of the quantity eligible for delivery on the basis of such inspection.

Such support rate shall be the rate for the county in which the soybeans were produced. If soybeans which were determined to be eligible at the time of the pre-delivery inspection are, upon delivery, of a grade or quality for which no support rate has been established, the settlement value shall be computed at the support rate established for the grade and quality of the eligible soybeans as determined at the time of the pre-delivery inspection, less the difference, if any, at the time of delivery between the market price for the grade and quality of the soybeans, determined by the predelivery inspection and the market price of the soybeans delivered, as determined by CCC: *Provided, however*, That if such soybeans are sold by CCC in order to determine their market price and settlement value shall not be less than such sales price: *And provided further*, That if, upon delivery, the soybeans contain mercurial compounds or other substances poisonous to man or animals, such soybeans shall be sold for seed (in accordance with applicable State seed laws and regulations), fuel, or industrial uses where the end product will not be consumed by man or animals, and the settlement value shall be the same as the sales price: *Provided further*, That if CCC is unable to sell such soybeans for the use specified above, the settlement value shall be the market value, if any, as determined, by CCC, as of the date of delivery.

(ii) *Delivery from approved warehouse-storage.* In the case of eligible soybeans stored commingled in an approved warehouse, the producer must, not later than the day following the loan maturity date, or during such period of time thereafter as may be specified by the county committee, submit to the office of the county committee warehouse receipts under which the warehouseman guarantees quality and quantity for the quantity of soybeans he elects to sell to CCC. Settlement for eligible soybeans delivered under purchase agreement to CCC by submission of warehouse receipts issued by an approved warehouse shall be made on the basis of the weight, grade, and other quality factors shown on the warehouse receipt or accompanying documents at the applicable support rate for the county in which the soybeans were produced.

(iii) *Delivery from unapproved warehouse-storage.* Where the producer has properly given the county office written notice of his intent to sell to CCC soybeans in a warehouse not approved for storage which are stored commingled, or which are stored so that the identity of the producer's soybeans is maintained but a pre-delivery inspection is not possible, the county office will issue instructions on or after the loan maturity date for delivery of the soybeans. Settlement for such soybeans delivered to CCC which meet the eligibility requirements of § 421.2628 (c) (1) and (2) shall be made at the applicable support rate for the grade and quantity eligible for delivery. Such support rate shall be the support rate for the county in which the soybeans were produced. If a pre-delivery inspection of the producer's soybeans can be made, the provisions of § 421.2635 (a) shall apply and settlement will be the

same as for soybeans delivered under a purchase agreement from farm-storage as provided in subdivision (i) of this subparagraph.

(iv) *Soybeans ineligible for delivery inadvertently accepted by CCC.* The settlement provisions hereof shall apply to the following categories of soybeans ineligible for delivery which are inadvertently accepted by CCC and which CCC determines that it is not in a position to reject: (1) Soybeans which were of an ineligible grade or quality both at the time of the predelivery inspection and at the time of delivery as redetermined by a reinspection; (2) soybeans of an ineligible grade or quality which are delivered to CCC in excess of the maximum quantity stated in the purchase agreement; and (3) soybeans in other than approved warehouse storage on which a predelivery inspection was not performed, and which at the time of delivery do not meet the eligibility requirements of § 421.2628 (c) (1) and (2). The settlement value shall be the market price for the grade, quality, and quantity of such ineligible soybeans delivered as determined by CCC: *Provided, however*, That if such soybeans are sold by CCC in order to determine their market price, the settlement value shall not be less than the sales price: *And provided further*, That if upon delivery the soybeans contain mercurial compounds or other substances poisonous to man or animals, such soybeans shall be sold for seed (in accordance with applicable State seed laws and regulations), fuel, or industrial uses where the end product will not be consumed by man or animals, and the settlement value shall be the same as the sales price: *Provided further*, That if CCC is unable to sell such soybeans for the uses specified above, the settlement value shall be the market value, if any, as determined by CCC, as of the date of delivery. If soybeans delivered are of an eligible grade and quality but are in excess of the maximum quantity stated in the purchase agreement and such soybeans are inadvertently accepted by CCC, the settlement value shall be the sales price if the soybeans are immediately sold. If the soybeans are not immediately sold, the settlement value shall be the applicable support rate or the market price, as determined by CCC, whichever is lower.

(b) *Storage deduction for early delivery.* No deduction for storage shall be made for farm-stored soybeans under loan or purchase agreement authorized to be delivered to CCC prior to the loan maturity date except where it is necessary to call the loan through fault or negligence on the part of the producer or where the producer requests early delivery and the county committee approves the early delivery and determines such early delivery is solely for the convenience of the producer. The deduction for storage shall be made in accordance with the schedule of deductions for warehouse charges in § 421.2634.

(c) *Refund of prepaid handling charges.* In case a warehouseman charges the producer for the receiving or the receiving and loading out charges on soybeans under loan or purchase agreement stored in a warehouse under the Uniform Grain Storage Agreement, the

producer shall, upon delivery of the soybeans to CCC, be reimbursed or given credit by the county office for such prepaid charges in an amount not to exceed the charges authorized under the Uniform Grain Storage Agreement provided the producer furnishes to the county office written evidence signed by the warehouseman that such charges have been paid.

(d) *Storage payment where CCC is unable to take delivery of soybeans stored in other than an approved warehouse under loan or purchase agreement.* The producer may be required to retain soybeans stored in other than an approved warehouse under loan or purchase agreement for a period of 60 days after the maturity date without any cost to CCC. However, if CCC is unable to take delivery of such soybeans within the 60-day period after maturity, the producer shall be paid a storage payment upon delivery of the soybeans to CCC: *Provided, however*, That a storage payment shall be paid a producer whose soybeans are stored in other than an approved warehouse under purchase agreement only if he has properly given notice of his intention to sell the soybeans to CCC and delivery cannot be accepted within the 60-day period after maturity. The period for earning such storage payment shall begin the day following the expiration of the 60-day period after the maturity date and extend through the final date of delivery, or the final date for delivery as specified in the delivery instructions issued to the producer by the county office, whichever is earlier. The storage payment shall be computed at the following rates per bushel per day for the soybeans accepted for delivery or sale to CCC:

Area I, \$0.00043; Area II, \$0.00045; Area III, \$0.00046; Area IV, \$0.00047; Area V, \$0.00049.

(e) *Track-loading payment.* A track-loading payment of 3 cents per bushel shall be made to the producer on soybeans delivered to CCC on track at a country point.

(f) *Compensation for hauling.* If the producer is directed by the county office to deliver his soybeans to a point other than his customary shipping point, he shall be allowed compensation (as determined by CCC at not to exceed the common carrier truck rate or the rate available from local truckers) for the additional cost of hauling the soybeans any distance greater than the distance from the point where the soybeans are stored by the producer to the customary shipping point.

(g) *Method of payment under purchase agreement settlements.* When delivery of soybeans under purchase agreements is completed, payment will be made by sight draft drawn on CCC by the county office. The producer shall direct on Commodity Purchase Form 4 to whom payment of the proceeds shall be made.

Issued this 26th day of April 1957.

[SEAL] WALTER C. BERGER,
Executive Vice President,
Commodity Credit Corporation.

[F. R. Doc. 57-3552; Filed, Apr. 30, 1957;
8:54 a. m.]

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 6—EXCEPTIONS FROM COMPETITIVE SERVICE

DEPARTMENT OF AGRICULTURE

Effective upon publication in the FEDERAL REGISTER, paragraph (b) (2) of § 6.111 is revoked and paragraph (a) (7) is added as set out below.

§ 6.111 Department of Agriculture—(a) General. * * *

(7) Not to exceed eight temporary positions whose incumbents serve as field representatives of the Department of Agriculture and in this capacity represent the Department's Disaster Committee in conducting surveys and appraisals of conditions in areas whose status as "major disaster" areas under Public Law 875, Eighty-first Congress, is under consideration. Employment under this authority shall be limited to one year: *Provided*, That such employment may, with the prior approval of the Commission, be extended for not to exceed one addition year.

(R. S. 1753, sec. 2, 22 Stat. 403; 5 U. S. C. 631, 633)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] WM. C. HULL,
Executive Assistant.

[F. R. Doc. 57-3555; Filed, Apr. 30 1957; 8:54 a. m.]

PART 6—EXCEPTIONS FROM COMPETITIVE SERVICE

NATIONAL ADVISORY COMMITTEE FOR AERONAUTICS

Effective upon publication in the FEDERAL REGISTER, paragraph (a) of § 6.147 is amended as set out below.

§ 6.147 *National Advisory Committee for Aeronautics.* (a) Six alien scientists having special qualifications in the field of aeronautical research where such employment is deemed by the Chairman of the National Advisory Committee for Aeronautics to be necessary in the public interest.

(R. S. 1753, sec. 2, 22 Stat. 403; 5 U. S. C. 631, 633)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] WM. C. HULL,
Executive Assistant.

[F. R. Doc. 57-3538; Filed, Apr. 30, 1957; 8:51 a. m.]

PART 6—EXCEPTIONS FROM COMPETITIVE SERVICE

POST OFFICE DEPARTMENT

Effective upon publication in the FEDERAL REGISTER, paragraph (b) (6) is added to § 6.309 as set out below.

§ 6.309 Post Office Department. * * *

(b) Bureau of Facilities. * * *

(6) One Special Assistant to the Assistant Postmaster General.

(R. S. 1753, sec. 2, 22 Stat. 403; 5 U. S. C. 631, 633)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] WM. C. HULL,
Executive Assistant.

[F. R. Doc. 57-3527; Filed, Apr. 30, 1957; 8:49 a. m.]

PART 6—EXCEPTIONS FROM COMPETITIVE SERVICE

OFFICE OF DEFENSE MOBILIZATION

Effective upon publication in the FEDERAL REGISTER, paragraph (a) of § 6.321 is amended as set out below.

§ 6.321 Office of Defense Mobilization. (a) Six Assistant Directors.

(R. S. 1753, sec. 2, 22 Stat. 403; 5 U. S. C. 631, 633)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] WM. C. HULL,
Executive Assistant.

[F. R. Doc. 57-3537; Filed, Apr. 30, 1957; 8:51 a. m.]

PART 30—ANNUAL AND SICK LEAVE REGULATIONS

APPENDIX A—LIST OF OFFICERS EXCLUDED FROM COVERAGE PURSUANT TO SECTION 202 (c) (1) (C) OF THE ANNUAL SICK LEAVE ACT OF 1951, AS AMENDED

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Effective upon publication in the FEDERAL REGISTER, the following position is added to Appendix A.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

1. Commissioner of Education.

(Sec. 206, 65 Stat. 681; 5 U. S. C. 2065. Interpretations or applies sec. 202, 65 Stat. 679, as amended; 5 U. S. C. 2061. E. O. 10540, 19 F. R. 3983, 3 CFR, 1954 Supp.)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] WM. C. HULL,
Executive Assistant.

[F. R. Doc. 57-3554; Filed, Apr. 30, 1957; 8:54 a. m.]

TITLE 7—AGRICULTURE

Chapter IX—Agricultural Marketing Service (Marketing Agreements and Orders), Department of Agriculture

[Docket No. AO-184-A15]

PART 978—MILK IN NASHVILLE, TENN., MARKETING AREA

ORDER AMENDING ORDER, AS AMENDED, REGULATING HANDLING

§ 978.0 *Findings and determinations.* The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection

with the issuance of the aforesaid order and of each of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon a proposed marketing agreement and certain proposed amendments to the order, as amended, regulating the handling of milk in the Nashville, Tennessee, marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order, as amended, and as hereby further amended, and all of the terms and conditions of said order, as amended, and as hereby further amended, will tend to effectuate the declared policy of the act;

(2) The parity prices of milk as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the marketing area, and the minimum prices specified in the order, as amended, and as hereby further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order, as amended, and as hereby further amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial and commercial activity specified in, a marketing agreement upon which hearings have been held.

(b) *Additional findings.* It is hereby found and determined that good cause exists for making this order amending the order, as amended, effective May 1, 1957. Such action is necessary in the public interest in order to reflect current marketing conditions and to insure the production of an adequate supply of milk for the Nashville marketing area. Any delay beyond May 1 in the effective date of this order will tend to adversely affect the production of an adequate supply of milk for the Nashville marketing area.

The changes effected by this order amending the order, as amended, do not require of persons affected substantial or extensive changes prior to the effective date. The provisions of the said order are well known to handlers, the public hearing having been held on March 21 and 22, 1957, the recommended decision having been issued on April 18, 1957 (22 F. R. 2780), and the final decision having been issued. Therefore, reasonable time, under the circumstances, has been afforded persons affected to prepare for

its effective date and it would be contrary to the public interest to delay the effective date of this amendment for 30 days after its publication in the FEDERAL REGISTER.

In view of the foregoing, it is hereby found that good cause exists for making this order amending the order, as amended, effective May 1, 1957 (section 4 (c), Administrative Procedure Act, 5 U. S. C. 1003 (c)).

(c) *Determinations.* It is hereby determined that handlers (excluding cooperative associations of producers who are not engaged in processing, distributing or shipping milk covered by this order amending the order, as amended) of more than 50 percent of the volume of milk covered by this order amending the order, as amended, which is marketed within the said marketing area, refused or failed to sign the proposed marketing agreement regulating the handling of milk in the said marketing area, and it is hereby further determined that:

1. The refusal or failure of such handlers to sign said marketing agreement tends to prevent the effectuation of the declared policy of the act;

2. This issuance of this order amending the order, as amended, is the only practical means, pursuant to the declared policy of the act, of advancing the interests of producers of milk which is produced for sale in the said marketing area; and

3. The issuance of this order amending the order, as amended, is approved or favored by at least two-thirds of the producers who, during the representative period (February 1957), were engaged in the production of milk for sale in the said marketing area.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof the handling of milk in the Nashville, Tennessee, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order as amended, and as hereby further amended, and the aforesaid order as amended, is hereby further amended as follows:

1. Delete the proviso as it appears in § 978.11 and insert a new proviso as follows: "Provided, That if such milk is diverted for his account by a handler from a fluid milk plant to any other milk plant any day during the month, the milk so diverted shall be deemed to have been received by the diverting handler at a fluid milk plant at the location of the plant from which it was diverted."

2. Add a new § 978.34 as follows:

§ 978.34 *Reports to cooperative associations.* On or before the 15th day after the end of each delivery period, the market administrator shall report to each cooperative association, as described in § 978.86 (b), upon request by such association, the percentage of milk caused to be delivered by such association or by its members which was used in each class by each handler receiving any such milk. For the purpose of this report, any milk so received shall be prorated to each class in the proportion that the

total receipts of milk from producers of such handler are used in such class.

3. In § 978.41 (b) (4) and in the proviso thereof, delete "3 percent" and substitute therefor "2 percent".

4. Delete the proviso as it is in § 978.43 (a) and substitute therefor the following proviso: "Provided, That skim milk or butterfat so assigned to Class II milk for any month shall be limited to the amount thereof remaining in Class II milk in the fluid milk plant(s) of the transferee for such month after the computations pursuant to § 978.45 (a) (1), (2) and (3), and the corresponding steps of § 978.45 (b), and any additional amounts of such skim milk or butterfat shall be assigned to Class I milk."

5. In § 978.51 (a) (2), delete the period and substitute therefor a colon and add the following: "Provided, That any subtraction or addition shall be limited to: 20 cents during the months of May through July 1957; 34 cents during the months of August through November 1957; and 50 cents during December 1957, and any month thereafter."

6. Delete § 978.60 and substitute therefor the following:

§ 978.60 *Computation of daily average base for each producer.* Subject to the rules set forth in § 978.61, the daily average base for each producer shall be an amount calculated by dividing the total pounds of producer milk received from such producer at all fluid milk plants during the months of September through January immediately preceding by 153: *Provided*, That the base of a producer, who delivers milk during August and whose deliveries are temporarily discontinued during the base-forming period, shall be determined by dividing by the number of days for which deliveries are made or by 138, whichever is higher.

7. Delete § 978.62 and substitute therefor the following:

§ 978.62 *Announcement of established bases.* On or before February 25 of each year, the market administrator shall notify each producer and the handler receiving milk from such producer of the daily average base established by such producer.

8. In § 978.72, delete the language preceding paragraph (a) and substitute therefor the following:

§ 978.72 *Computation of the uniform price for base milk and for excess milk for handlers.* For each of the months of February through July, the market administrator shall compute for each handler, with respect to his producer milk, a uniform price for base milk and for excess milk as follows:

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Issued at Washington, D. C., this 26th day of April 1957.

[SEAL] TRUE D. MORSE,
Acting Secretary.

[F. R. Doc. 57-3549; Filed, Apr. 30, 1957; 8:53 a. m.]

TITLE 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

Subchapter B—Food and Food Products

PART 120—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

TOLERANCE FOR RESIDUES OF ETHYLENE OXIDE IN OR ON COPRA

No objections having been filed to the proposal published in the FEDERAL REGISTER on March 12, 1957 (22 F. R. 1590) that a tolerance of 50 parts per million be established for residues of ethylene oxide when that pesticide chemical is used as a fumigant in or on raw agricultural commodity copra, and no request having been received for referral of the proposal to an advisory committee: *It is ordered*, Pursuant to the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 408 (b), (c), 68 Stat. 511, 514; 21 U. S. C. 346a (b), (c)) and delegated to the Commissioner of Food and Drugs (21 CFR 120.29 (a)), That the regulations for tolerances for pesticide chemicals in or on raw agricultural commodities (21 CFR 120.151; 22 F. R. 931) be amended by changing § 120.151 to read as follows:

§ 120.151 *Tolerances for residues of ethylene oxide.* A tolerance of 50 parts per million is established for residues of ethylene oxide in or on each of the following raw agricultural commodities: Copra, whole spices.

Any person who will be adversely affected by the foregoing order may, at any time prior to the thirtieth day from the effective date thereof, file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington 25, D. C., written objections thereto. Objections shall show wherein the person filing will be adversely affected by this order, specify with particularity the provisions of the order deemed objectionable, and reasonable grounds for the objections, and request a public hearing upon the objections. Objections may be accompanied by a memorandum or brief in support thereof. All documents shall be filed in quintuplicate.

Effective date. This order shall be effective upon publication in the FEDERAL REGISTER.

(Sec. 701, 52 Stat. 1055, as amended; 21 U. S. C. 371. Interprets or applies sec. 408, 68 Stat. 511; 21 U. S. C. 346a)

Dated: April 24, 1957.

[SEAL] GEO. P. LARRICK,
Commissioner of Food and Drugs.

[F. R. Doc. 57-3526; Filed, Apr. 30, 1957; 8:48 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter I—Office of Defense Mobilization

[Defense Mobilization Order VII-6, Supp. 16]
DMO VII-6, SUPP. 16—EXPANSION GOALS

TRANSFER OF GOALS

1. Defense Mobilization Order VII-6, dated December 3, 1953 (18 F. R. 7876) is supplemented as follows:

The following expansion goals are hereby transferred from List III, Open to List I, Closed:

Goal No., Title, and Delegate Agency

64, Mercury, Interior.
76, Steam Boilers, Commerce.
226, Oil and Gas Pipelines and Petroleum Storage Facilities (Specific Defense Programs), Interior.

2. This supplement shall be effective on April 25, 1957.

OFFICE OF DEFENSE
MOBILIZATION,
GORDON GRAY,
Director.

[F. R. Doc. 57-3518; Filed, Apr. 30, 1957;
8:47 a. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, Department of the Army

PART 202—ANCHORAGE REGULATIONS

PART 203—BRIDGE REGULATIONS

JOHNSONS RIVER, CONNECTICUT, AND BAYOU
TECHE, LOUISIANA

1. Pursuant to the provisions of section 7 of the River and Harbor Act of March 4, 1915 (38 Stat. 1053; 33 U. S. C. 471), § 202.148 is hereby prescribed designating a general anchorage area in Johnsons River at Bridgeport, Connecticut, as follows:

§ 202.148 *Johnsons River at Bridgeport, Conn.*—(a) *The anchorage grounds.* In Johnsons River, beginning at a point "A" latitude 41°10'12.3", longitude 73°09'50.2"; thence westerly to a point "B" latitude 41°10'12.3", longitude 73°09'52.1"; thence southwesterly to point "C" latitude 41°10'10", longitude 73°09'54.9"; thence south southwesterly to point "D" latitude 41°10'05", longitude 73°09'56.1"; thence southeasterly to point "E" latitude 41°10'04", longitude 73°09'55.9"; thence northeasterly to point "F" latitude 41°10'05", longitude 73°09'54.5"; thence northerly to point "G" latitude 41°10'05.8", longitude 73°09'54.5"; thence northeasterly to the point of beginning.

(b) *The regulations.* The anchorage is for use by commercial and pleasure craft. Temporary floats or buoys for marking anchors or moorings will be allowed. The anchoring of vessels and placing of temporary anchors or mooring piles are under the jurisdiction of the local harbor master. Fixed mooring piles or stakes will not be allowed.

[Regs., April 11, 1957, 800.212 (Johnsons River, Conn.)—ENGWO] (Sec. 7, 38 Stat. 1053; 33 U. S. C. 471)

2. Federal Register Document 57-3133, appearing at 22 F. R. 2734, April 19, 1957, is corrected by changing so much of § 203.245 (j) (7) as reads "40 hours' advance notice required," to read "48 hours' advance notice required."

[SEAL]

HERBERT M. JONES,
Major General, U. S. Army,
The Adjutant General.

[F. R. Doc. 57-3506; Filed, Apr. 30, 1957;
8:45 a. m.]

TITLE 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 17—CONDITIONS APPLICABLE TO PARCELS ADDRESSED TO CERTAIN MILITARY POST OFFICES OVERSEAS

MISCELLANEOUS AMENDMENTS

Chapter I of Title 39 is hereby amended as follows:

In § 17.1 *Conditions applicable to parcels addressed to certain military post offices overseas* make the following changes in the table:

1. Opposite the following APO numbers, and under the column heading "Weight Restricted to 50 Pounds," insert a footnote 5 to accompany the X shown thereat: 22, 120, 124, 125, 126, 127, 129, 133, 147, 167, 179, 186, 190, 192, 193, 194, 195, 196, 197, 198, 199, 202, 210, 212, 214, 218, 232, 233, 237, 238, 240, 241, 242, 243, and 755.

2. Opposite APO 378 and under "Weight Restricted to 50 Pounds" insert "X."

3. Insert in proper numerical order the following APO numbers, with their accompanying data:

319		X	X	*X		
320		X	X			
321		X	X			
322		X		*X		*X
323		X		*X		*X
349		X				*X

4. Footnote 6 is added to read as follows:

* Parcels may not contain firearms of any type.

(R. S. 161, 396, as amended, 398, as amended; 5 U. S. C. 22, 369, 372)

PART 55—CERTIFICATES OF MAILING

a. Section 55.4 *Additional certificates after mailing* is amended to read as follows:

§ 55.4 *Additional certificates after mailing.* To obtain an additional certificate after mailing the sender must present the original certificate and an additional certificate endorsed "duplicate" or "copy" showing the original dates of mailing. The additional certificate will be postmarked to show the current date.

b. Section 55.5 *Payment and certification* is amended to read as follows:

§ 55.5 *Payment and certification.* Mailers must fix uncanceled stamps or meter stamps to cover the fee for certificates of mailing. The stamps will be canceled by the postmark of the mailing

office. Signatures or initials of accepting employees are not required on Form 3817. The postmark shows the genuineness of the certificate. The employees who check the mailings and postmark the stamps will initial the certificates issued on firm mailing bills or on special approved forms. Form 3606 for bulk mailings will be certified by the postmaster. (R. S. 161, 396, as amended; 5 U. S. C. 22, 369)

PART 62—NON-POSTAL STAMPS AND BONDS

In § 62.4 *United States savings bonds* make the following changes:

1. Amend the last sentence of paragraph (d) to read as follows: "If the bond is returned after the month of issue, or if the error was not the fault of the postmaster, he will give a receipt for it and submit it for reissue."

2. Rescind paragraph (e); and redesignate paragraph (f) as paragraph (e).

(R. S. 161, 396, as amended; 5 U. S. C. 22, 369)

PART 63—POSTAL SAVINGS

a. Section 63.3 *Deposits* is amended to read as follows:

§ 63.3 *Deposits*—(a) *Amount.* Deposits must be made in multiples of \$5.

(b) *Evidence of deposit*—(1) *Issuance of certificates.* Nontransferable and nonnegotiable certificates of deposit, in fixed denominations of \$5, \$10, \$20, \$50, \$100, \$200, \$500, \$1,000, and \$2,500, are issued as evidence of deposits. Certificates are delivered to depositors when issued, and postmasters are not authorized to accept them after issue for safekeeping.

(2) *Correction of errors.* If an error is found in a certificate after issue, the depositor should advise the issuing postmaster. The postmaster will give the depositor a receipt for the certificate, and submit the certificate for correction.

(3) *Replacement.* A depositor should advise the postmaster at the office where his account is held when any of his certificates are lost, stolen, destroyed, or improperly withheld. The postmaster will furnish the depositor with a POD Form PS 607, Depositor's Application for New Postal Savings Certificates. If approved, new certificates showing the same information as the originals, but marked "Reissued," will be issued. If a certificate is found after it has been reissued, it must be given to the depository postmaster.

b. In § 63.5 *Interest* amend paragraph (a) to read as follows:

(a) *Rate.* Interest is payable at 2 percent per year.

c. In § 63.6 *Withdrawals* amend paragraph (e) by changing "Form PS 315" to "POD Form PS 315, Depositor's Application to Withdraw Principal and Interest by Mail."

(R. S. 161, 396, as amended; secs. 6, 7, 8, 36 Stat. 815, 816, as amended; 5 U. S. C. 22, 369; 39 U. S. C. 756, 757, 758)

[SEAL]

ABE MCGREGOR GOFF,
General Counsel.

[F. R. Doc. 57-3512; Filed, Apr. 30, 1957;
8:46 a. m.]

PART 37—PREPAYMENT AND REFUNDS

PART 47—FORWARDING MAIL

MISCELLANEOUS AMENDMENTS

The proposed amendments to Parts 37 and 47 respecting postage refunds and forwarding postage, respectively, published at page 1724 of the March 16, 1957, issue of the *FEDERAL REGISTER* (22 F. R. 1724) are hereby adopted as regulations of the Post Office Department, without change.

[SEAL] ABE MCGREGOR GOFF,
General Counsel.

1. Section 37.2 *Refunds* is amended to read as follows:

§ 37.2 *Refunds*—(a) *Conditions that justify refund.* (1) When postage or special service fees have been paid on mail for which no service is rendered, or collected in excess of the lawful rate, a refund may be made.

(2) The Postal Service is considered to be at fault and "no service is rendered" in cases involving returned articles improperly accepted in both domestic and international services because of excess size or weight.

(3) The responsibility for proper enclosing, packing, and sealing of international mail rests with the sender, and no liability for returned articles will be assumed for defects not observed at the time of mailing.

(4) Mailers who customarily weigh and rate their mail are expected to be familiar with basic requirements and the Postal Service is not considered to be at fault when these mailers are required to withdraw articles from the mail prior to dispatch.

(5) See paragraphs (c) (2) and (f) of this section for special provisions for refunding the postage value of unused meter stamps.

(b) *Application.* Submit an application on Form 3533 (Application and Voucher for Refund of Postage and Fees), in duplicate, to the postmaster together with the envelope or wrapper, or the portion thereof having names and addresses of sender and addressee, canceled postage and postal markings, or other evidence of payment of the amount of postage and fees for which refund is desired.

(c) *Amount of refund allowable.* (1) Refund of 100 percent will be made:

(i) When the Postal Service is at fault.

(ii) For the excess when postage or fees have been overpaid the lawful rate.

(iii) When service to the country of destination has been suspended.

(iv) When postage is fire-scarred while in the custody of the Postal Service, including fire in letter box, and the mail is returned to sender without service.

(v) When special-delivery stamps are erroneously used in payment of postage, and the mail is returned to the sender without service.

(vi) When fees are paid for special delivery, special handling and certified mail, and the article fails to receive the special service for which the fee has been paid.

(vii) When surcharges are erroneously collected on domestic registered mail or collected in excess of the proper amount, or represented by stamps affixed to matter not actually accepted for registration.

(viii) For fees paid for return receipts or for restricted delivery when the failure to furnish return receipt or its equivalent, or erroneous delivery, or nondelivery, is due to fault or negligence of Postal Service.

(ix) For annual bulk mailing fee when no bulk mailings of third-class matter are made during the year for which the annual fee has been paid.

(x) When customs clearance and delivery fees are erroneously collected.

(xi) When fees are paid for registry or insurance service on mail addressed to a country to which such services are not available, unless claim for indemnity is made.

(2) Refund of 90 percent shall be made:

(i) When it is determined that there is no fault or negligence attributable to the Postal Service.

(ii) When complete and legible unused meter stamps are submitted within 1 year from the dates appearing in the stamps. See paragraph (f) of this section.

(3) When mail is returned at the request of the sender or for a reason not the fault of the Postal Service, any difference between the amount paid and the appropriate domestic air or surface rate chargeable from mailing office to interception point and return will be refunded.

(4) On articles prepaid at airmail rates but actually transported by surface means, the difference between the postage computed at the airmail and surface rates is refundable. The fact that surface transportation was used must be confirmed.

(5) One-half of an original second-class application fee will be refunded if the application is not approved. See § 22.3 (e) of this chapter.

(d) *Unallowable refunds.* No refund will be made:

(1) For an application fee to use permit imprints.

(2) For registered, insured, and c. o. d. fees after the mail has been accepted by the post office even though it is later withdrawn from the mailing post office.

(e) *Meters.* The postage value of unused units set in a meter surrendered to the post office to be checked out of service may be refunded or, if desired, an equivalent amount will be transferred to another meter used by the same license holder. If the meter is withdrawn from service because of faulty mechanical operation, a final postage adjustment or refund may be withheld pending report of the meter manufacturer of the cause of faulty operation. If the meter is damaged by fire, a refund or transfer of postage will be made only if the registers are legible, or can be reconstructed by the meter manufacturer.

(f) *Meter stamps*—(1) *What to submit.* (i) Unused meter stamps that are complete and legible accompanied by an

application, in duplicate, on Form 3533 within 1 year from dates appearing in the stamps, will be considered for refund. Arrange the stamps so that all of one denomination are together.

(ii) If portion of stamp is printed on one envelope or card and remaining portion on another, fasten the two together to show that the two portions represent one stamp.

(iii) Meter stamps printed on labels or tapes which have not been stuck to wrappers or envelopes must be submitted loose.

(iv) Refunds are allowable for stamps on metered reply envelopes only when it is obvious that an incorrect amount of postage was printed thereon.

(v) Submit separately with statement of facts, envelopes or address portions of wrappers on mail returned to sender from the mailing office marked "No such post office in State named," "Returned for better address," or "Received without contents," indicating no effort to deliver was made.

(2) *What not to submit.* Do not submit:

(i) Meter reply envelopes or cards paid at the proper rate of postage.

(ii) Meter stamps printed on labels or tape which have been removed from wrappers.

(iii) Meter stamps without the name of the post office and State.

(iv) Meter stamps without the date printed on tape. (See § 33.4 (f) of this chapter.)

(v) Meter stamps printed on mail which was dispatched from the mailing post office in regular course and returned to sender as undeliverable, including nixies marked No such post office in State named.

(vi) Meter stamps on mail addressed for local delivery and returned to sender after directory service was given or effort was made to deliver.

(R. S. 161, 396, as amended; sec. 2, 33 Stat. 1091; 5 U. S. C. 22, 369, 39 U. S. C. 300)

2. In § 47.7 *Guarantee to pay forwarding postage* amend paragraph (b) to read as follows:

(b) The sender may guarantee payment of forwarding postage on third- or fourth-class mail by printing "Forwarding Postage Guaranteed" below his return address. On second-class mail the guarantee must be printed on the envelope or wrapper or on one of the outside covers of unwrapped copies and must be immediately preceded by the sender's name and address. Mail bearing this pledge is accepted with the understanding that the sender will pay both the forwarding and return postage if the mail is returned as undeliverable from the post office to which it is forwarded. Where an addressee has unqualifiedly refused to pay forwarding postage on other mail of the same class, the mail will not be forwarded even though it bears the sender's pledge guaranteeing forwarding postage, but it shall be treated the same as if it bore sender's pledge to pay return postage.

(R. S. 161, 396, as amended; sec. 1, 64 Stat. 210; 5 U. S. C. 22, 369, 39 U. S. C. 278a)

[F. R. Doc. 57-3513; Filed, Apr. 30, 1957; 8:46 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

[Circular No. 1977]

PART 192—OIL AND GAS LEASES

OFFER TO LEASE AND ISSUANCE OF LEASE

Paragraph (d) (2) of § 192.42 is amended to read:

§ 192.42 Offer to lease and issuance of lease. * * *

(d) * * *
(2) Where the land is surrounded by lands not available under the act.
(Sec. 32, 41 Stat. 450; 30 U. S. C. 189)

HATFIELD CHILSON,
Acting Secretary of the Interior.

APRIL 25, 1957.

[F. R. Doc. 57-3508; Filed, Apr. 30, 1957;
8:45 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 52]

U. S. STANDARDS FOR GRADES OF FROZEN PEAS¹

NOTICE OF PROPOSED RULE MAKING

Notice is hereby given that the U. S. Department of Agriculture is considering the revision of the United States Standards for Grades of Frozen Peas pursuant to the authority contained in the Agricultural Marketing Act of 1946 (60 Stat. 1087 et seq., as amended; 7 U. S. C. 1621 et seq.). This standard, if made effective, will be the sixth issue by the Department of grade standards for this product.

All persons who desire to submit data, views or arguments for consideration in connection with the proposed standards should file the same with the Chief, Processed Products Standardization and Inspection Branch, Fruit and Vegetable Division, Agricultural Marketing Service, U. S. Department of Agriculture, Washington 25, D. C., not later than December 1, 1957.

The proposed standards are as follows:

PRODUCT DESCRIPTION, AND GRADES

- Sec.
52.3511 Product description.
52.3512 Grades of frozen peas.

FACTORS OF QUALITY

- 52.3513 Ascertaining the grades.
52.3514 Ascertaining the rating for the factors which are scored.
52.3515 Color.
52.3516 Defects.
52.3517 Maturity and tenderness.

METHODS OF ANALYSIS

- 52.3518 Methods of analysis.

LOT CERTIFICATION TOLERANCES

- 52.3519 Tolerances for certification of officially drawn samples.

SCORE SHEET

- 52.3520 Score sheet for frozen peas.

AUTHORITY: §§ 52.3511 to 52.3520 issued under sec. 205, 60 Stat. 1090, as amended; 7 U. S. C. 1624.

¹ Compliance with these standards does not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act.

PRODUCT DESCRIPTION, AND GRADES

§ 52.3511 Product description. "Frozen peas" means the frozen product prepared from the clean, sound succulent seed of the common garden pea (*Pisum sativum*) by shelling, washing, blanching, proper sorting, proper draining, and which is frozen in accordance with good commercial practice and maintained at temperatures necessary for the preservation of the product.

§ 52.3512 Grades of frozen peas. (a) "U. S. Grade A" or "U. S. Fancy" is the quality of frozen peas that possess similar varietal characteristics; that possess a good flavor; that possess a good color; that are practically free from defects; that are tender; and for those factors which are scored in accordance with the scoring system outlined in this subpart the total score is not less than 90 points.

(b) "U. S. Grade B" or "U. S. Extra Standard" is the quality of frozen peas that possess similar varietal characteristics; that possess normal flavor; that possess a reasonably good color; that are reasonably free from defects; that are reasonably tender; and for those factors which are scored in accordance with the scoring system outlined in this subpart the total score is not less than 80 points; *Provided*, That the frozen peas may possess a fairly good color if the total score is not less than 80 points.

(c) "U. S. Grade C" or "U. S. Standard" is the quality of frozen peas that possess similar varietal characteristics; that possess a normal flavor; that possess a fairly good color; that are fairly free from defects; that are fairly tender; and for those factors which are scored in accordance with the scoring system outlined in this subpart the total score is not less than 70 points.

(d) "Substandard" is the quality of frozen peas that fail to meet the requirements of U. S. Grade C or U. S. Standard.

FACTORS OF QUALITY

§ 52.3513 Ascertaining the grade—(a) General. In addition to considering other requirements outlined in the standards the following quality factors are evaluated:

- (1) Factors not rated by score points.
(i) Varietal characteristics.
(ii) Flavor.

(2) Factors rated by score points. The relative importance of each factor which is scored is expressed numerically on the scale of 100. The maximum number of points that may be given such factors are:

Factors:	Points
Color	20
Defects	40
Tenderness and maturity	40
Total score	100

(b) "Good flavor" means that the product has a good characteristic flavor and odor for the maturity and is free from objectionable flavors and objectionable odors of any kind.

(c) "Normal flavor" means that the product may be lacking in good characteristic flavor and odor but is free from objectionable flavors and objectionable odors of any kind.

§ 52.3514 Ascertaining the rating for the factors which are scored. The essential variations within each factor which is scored are so described that the value may be ascertained for each factor and expressed numerically. The numerical range within each factor which is scored is inclusive. (For example, "36 to 40 points" means 36, 37, 38, 39, or 40 points).

§ 52.3515 Color—(a) (A) classification. Frozen peas that possess a good color may be given a score of 18 to 20 points. "Good color" means that the frozen peas possess a practically uniform good green color that is bright and typical of young and tender peas of similar varietal characteristics; and that the product is practically free from spotted peas, off-colored peas, or peas that materially detract from the overall color appearance.

(b) (B) classification. If the frozen peas possess a reasonably good color, a score of 16 or 17 points may be given. "Reasonably good color" means that the frozen peas possess a reasonably uniform green color that is reasonably bright and typical of reasonably young and reasonably tender peas of similar varietal characteristics, and that the product is reasonably free from spotted peas, off-colored peas, or peas that materially detract from the overall color appearance.

(c) (C) classification. Frozen peas that possess a fairly good color may be given a score of 14 or 15 points. Frozen peas that fall into this classification shall not be graded above U. S. Grade B or U. S. Extra Standard, regardless of the total score for the product (this is a partial limiting rule). "Fairly good color" means that the frozen peas possess a fairly uniform green color that is typical of nearly mature and fairly tender peas of similar varietal characteristics; and that the product is fairly free from spotted peas, off-colored peas, or peas that materially detract from the overall color appearance.

(d) (SStd.) classification. Frozen peas that fail to meet the requirements of paragraph (c) of this section may be given a score of 0 to 13 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

§ 52.3516 *Defects*—(a) *General*. The factor of defects refers to the degree of freedom from harmless extraneous vegetable material, pieces of peas, blemished peas; seriously blemished peas, and other defects.

(1) "Harmless extraneous vegetable material" means:

(i) Succulent vegetable material common to the pea plant, such as leaves, pea pods, and stems;

(ii) Non-deleterious or non-poisonous type of thistle buds, nightshade berries, or other similar type buds or berries, from other plants; and

(iii) Other predominant spherical or cylindrical vegetable material from other plants which are tender and similar in color to frozen peas.

(2) "Piece of pea" (broken pea) means:

(i) A whole pea from which a cotyledon or a large portion thereof has become separated; or

(ii) Two detached whole cotyledons; or

(iii) Pieces of detached cotyledons aggregating the equivalent of an average size cotyledon; or

(iv) A whole detached skin or portions of detached skin aggregating the equivalent of an average size whole skin.

(3) "Blemished" means discoloration which slightly affects but does not materially affect the appearance or eating quality of the pea.

(4) "Seriously blemished" means a pea spotted or otherwise discolored to an extent that the appearance or eating quality of the pea is materially affected, such as vivid-green peas, or peas showing brown, yellow, cream colored, or dark discolored areas.

(b) (A) *classification*. Frozen peas that are practically free from defects may be given a score of 36 to 40 points. "Practically free from defects" means:

(1) That for each approximate 80 ounces of net weight there may be present not more than:

(i) One piece, or pieces, of vegetable material, common to the pea plant having an aggregate area of not more than $\frac{1}{4}$ square inch ($\frac{1}{2}$ " x $\frac{1}{2}$ ") on one surface of the piece, or pieces; or

(ii) One thistle bud or nightshade berry or other spherical piece of vegetable material from other plants; or

(iii) One cylindrical piece or pieces of vegetable material from other plants, not exceeding $\frac{1}{2}$ inch in length in the aggregate.

(2) That not more than 3 percent, by count, of the peas may be pieces of peas;

(3) That not more than 2 percent, by count, of the peas may be blemished and seriously blemished, and not more than $\frac{1}{2}$ of 1 percent, by count, of all the peas may be seriously blemished; and

(4) That the presence of harmless extraneous vegetable material, pieces of peas, blemished peas, and seriously blemished peas, and other defects individually or collectively do not more than slightly affect the appearance or eating quality of the product.

(c) (B) *classification*. If the frozen peas are reasonably free from defects, a score of 32 to 35 points may be given. Frozen peas that fall into this classifica-

tion except for "pieces of peas," shall not be graded above U. S. Grade B or U. S. Extra Standard, regardless of the total score for the product (this is a limiting rule). "Reasonably free from defects" means:

(1) That for each approximate 40 ounces of net weight there may be present not more than:

(i) One piece, or pieces, of vegetable material, common to the pea plant having an aggregate area of not more than $\frac{1}{4}$ square inch ($\frac{1}{2}$ " x $\frac{1}{2}$ ") on one surface of the piece, or pieces; or

(ii) One thistle bud or nightshade berry or other spherical piece of vegetable material from other plants; or

(iii) One cylindrical piece or pieces of vegetable material from other plants, not exceeding $\frac{1}{2}$ inch in length in the aggregate.

(2) That not more than 5 percent, by count, of the peas may be pieces of peas;

(3) That not more than 3 percent, by count, of the peas may be blemished and seriously blemished, and not more than 2 percent, by count, of all the peas may be seriously blemished; and

(4) That the presence of harmless extraneous vegetable material, pieces of peas, blemished peas, and seriously blemished peas, and other defects individually or collectively do not materially affect the appearance or eating quality of the product.

(d) (C) *classification*. If the frozen peas are fairly free from defects a score of 28 to 31 points may be given. Frozen peas that fall into this classification shall not be graded above U. S. Grade C or U. S. Standard, regardless of the total score for the product (this is a limiting rule). "Fairly free from defects" means:

(1) That for each approximate 40 ounces of net weight there may be present not more than:

(i) One piece, or pieces, of vegetable material, common to the pea plant having an aggregate area of not more than $\frac{1}{2}$ square inch ($\frac{1}{2}$ " x 1") on one surface of the piece, or pieces; or

(ii) Two thistle buds or nightshade berry or other spherical piece of vegetable material from other plants; or

(iii) One cylindrical piece or pieces of vegetable material from other plants, not exceeding one inch in length in the aggregate.

(2) That not more than 10 percent, by count, of the peas may be pieces of peas;

(3) That not more than 4 percent, by count, of the peas may be blemished and seriously blemished, and not more than 3 percent, by count, of all the peas may be seriously blemished; and

(4) That the presence of harmless extraneous vegetable material, pieces of peas, blemished peas, and seriously blemished peas, and other defects individually or collectively do not seriously affect the appearance or eating quality of the product.

(e) (SStd.) *classification*. Frozen peas that fail to meet the requirements of paragraph (d) of this section may be given a score of 0 to 27 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

§ 52.3517 *Maturity and tenderness*—(a) *General*. The determination of maturity and tenderness of frozen peas is based on the brine flotation test set forth in § 52.3518 by first carefully removing the skins from the peas.

(b) (A) *classification*. Frozen peas that are tender may be given a score of 36 to 40 points. "Tender" means that the peas comply with the requirements of Table I of this subpart.

TABLE I

Maximum number of peas (with skins removed) that sink in 10 seconds (percent by count)	Percentage of salt in solution
10	13

(c) (B) *classification*. If the frozen peas are reasonably tender a score of 32 to 35 points may be given. Frozen peas that fall into this classification shall not be graded above U. S. Grade B or U. S. Extra Standard, regardless of the total score for the product (this is a limiting rule). "Reasonably tender" means that the peas comply with the requirements of Table II of this subpart.

TABLE II

Maximum number of peas (with skins removed) that sink in 10 seconds (percent by count)	Percentage of salt in solution
12	15

(d) (C) *classification*. If the frozen peas are fairly tender, a score of 28 to 31 points may be given. Frozen peas that fall into this classification shall not be graded above U. S. Grade C or U. S. Standard regardless of the total score for the product (this is a limiting rule). "Fairly tender" means that the peas comply with the requirements of Table III of this subpart.

TABLE III

Maximum number of peas (with skins removed) that sink in 10 seconds (percent by count)	Percentage of salt in solution
16	16

(e) (SStd.) *classification*. Frozen peas that fail to meet the requirements of paragraph (d) of this section may be given a score of 0 to 27 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

METHOD OF ANALYSIS

§ 52.3518 *Method of analysis*—(a) *Brine flotation test*. The brine flotation test utilizes salt solutions of various specific gravities to separate the peas according to maturity. The brine solutions are based on the percentage by

PROPOSED RULE MAKING

weight of pure salt (NaCl) in solution at 20 degrees Centigrade. In making the test the brine solutions are standardized to the proper specific gravity equivalent to the specified "percent of salt solution at 20 degrees C." by using a salometer spindle accurately calibrated at 20 degrees C. A 250 ml. glass beaker or similar receptacle is filled with the brine solution to a depth of approximately two inches. The brine solution and sample should be at the same temperature and should closely approximate 20 degrees C. After carefully removing the skins from the peas place the peas into the solution. If cotyledons divide, use both cotyledons in the test. Only peas that sink to the bottom of the receptacle within 10 seconds after immersion are counted as "peas that sink." Pieces of peas and loose skins should not be used in making the brine flotation test.

(b) *Determining percent of pieces of peas.* The percent by count of pieces of peas is determined by dividing the total number of pieces of peas by the total number of peas and pieces of peas. (A pea held together by its skin, even though the cotyledons are partly crushed or the skin split is considered an unbroken pea.)

LOT CERTIFICATION TOLERANCES

§ 52.3519 *Tolerances for certification of officially drawn samples.* (a) When certifying samples that have been officially drawn and which represent a specific lot of frozen peas the grade for such lot will be determined by averaging the total scores of the containers comprising the sample, if, (1) such containers meet all of the applicable grade requirements of the factors of quality that are not rated by score points; (2) all containers comprising the sample meet all applicable standards of quality promulgated under the Federal Food, Drug and Cosmetic Act and in effect at the time of the aforesaid certification; and (3) with respect to those factors which are rated by score points:

- (i) Not more than one-sixth of the containers fails to meet the grade indicated by the average of such total scores;
- (ii) None of the containers falls more than four points below the minimum score for the grade indicated by the average of such total scores;
- (iii) None of the containers falls more than one grade below the grade indicated by the average of such total scores; and
- (iv) The average score of all containers for any factor subject to a limiting rule is within the score range of that factor for the grade indicated by the average of the total scores of the containers comprising the sample.

* It is possible that the tolerances to be applied in this connection will be the tolerances set forth in proposed amendments of the regulations governing the inspection and certification of processed fruits and vegetables, processed products thereof, and certain other processed food products, notice of proposed rule making in regard to which was published in the FEDERAL REGISTER, issue of February 8, 1957 (22 F. R. 793).

SCORE SHEET

§ 52.3520 *Score sheet for frozen peas.*

Size and kind of container.....		
Label.....		
Container mark or identification.....		
Net weight (ounces).....		
Type.....		
Factors		Score points
Color.....	20	(A) 18-20 (B) 16-17 (C) 14-15 (SSld.) ¹ 0-13
Defects.....	40	(A) 36-40 (B) 32-35 (C) 28-31 (SSld.) ¹ 0-27
Tenderness and maturity.....	40	(A) 36-40 (B) 32-35 (C) 28-31 (SSld.) ¹ 0-27
Total score.....	100	
Flavor and odor.....		
Grade.....		

¹ Indicates limiting rule.² Indicates partial limiting rule.

Dated: April 25, 1957.

[SEAL] ROY W. LENNARTSON,
Deputy Administrator,
Marketing Services.

[F. R. Doc. 57-3522; Filed, Apr. 30, 1957;
8:48 a. m.]

[7 CFR Parts 925, 1008]

[Docket Nos. AO-226-A4, AO-275-A1]

MILK IN PUGET SOUND, WASHINGTON, AND
INLAND EMPIRE MARKETING AREASNOTICE OF RECOMMENDED DECISION AND OP-
PORTUNITY TO FILE WRITTEN EXCEPTIONS
WITH RESPECT TO PROPOSED AMENDMENTS
TO TENTATIVE MARKETING AGREEMENTS
AND ORDERS, AS AMENDED

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of the filing with the Hearing Clerk of the recommended decision of the Deputy Administrator, Agricultural Marketing Service, United States Department of Agriculture, with respect to (1) proposals to amend the tentative marketing agreement and the order, as amended, regulating the handling of milk in the Puget Sound, Washington, marketing area, and (2) proposals to amend the tentative marketing agreement and the order, as amended, regulating the handling of milk in the Inland Empire marketing area. Interested parties may file written exceptions to this recommended decision with the Hearing Clerk, United States Department of Agriculture, Washington, D. C., not later than the close of business on the 5th day after publication of this recommended decision in the FEDERAL REGISTER. Exceptions should be filed in quadruplicate.

Preliminary statement. The joint public hearing, on the record of which

the recommended regulatory provisions set forth below with respect to the Puget Sound, Washington, and Inland Empire marketing areas were formulated, was called by the Agricultural Marketing Service, United States Department of Agriculture, following receipt of petitions filed by United Dairymen's Association, Inland Empire Milk Producers Association and the Spokane Milk Producers Association. The hearing was held at Seattle, Washington, April 5, 1957, pursuant to notice duly published in the FEDERAL REGISTER on March 28, 1957 (22 F. R. 2048). The period until April 6, 1957, was reserved to interested parties for the filing of briefs on the record. Within the time reserved no briefs were filed.

The material issues of record are concerned with:

1. Revision of the methods, provided in each order, of computing the prices of butterfat in Class II milk and butterfat differentials applicable to class prices.

2. Adoption of an "equivalent price" provision to apply in emergency situations caused by lack of published price quotations used in pricing formulas.

3. Revision of the conditions under which producer milk as defined in the Puget Sound order may be diverted from a plant in one price district in the marketing area to a plant in another price district during April, May and June each year.

It was proposed at the hearing that a decision be issued on an emergency basis. The provisions of the Puget Sound order relating to issue No. 3 are suspended for May and June 1957. A final decision adopting an "equivalent price" provision for each order for April and May 1957 has been issued. It is concluded, therefore, that the need for emergency procedure, i. e., omission of the recommended decision, with respect to any of the issues has been obviated by such prior actions.

Findings and conclusions. The following findings and conclusions are based upon the evidence introduced at the hearing and the record thereof:

(1) The methods employed in each order for computing the prices of butterfat in Class II milk and for the purpose of applying butterfat differentials to class prices should be revised.

Under the Puget Sound and Inland Empire milk marketing orders, as presently in effect, butter quotations announced for the San Francisco wholesale butter market are used in the computation of butterfat prices in Class II milk and for the purpose of applying butterfat differentials to adjust class prices in relation to the butterfat content in each class of milk. Quotations for Grade AA (93-score) butter are employed in connection with Class II milk prices, except that the highest of the 92-score butter quotations are used when no 93-score quotations are available. Quotations for 92-score butter are used under the butterfat differential provisions. The proposal, for each market, would substitute the Chicago butter price quotation for the San Francisco quotation, and would add a factor of 3 cents per pound in consideration of past relationships of the

two butter market quotations to each other. The factor of 3 cents also would tend to keep butterfat prices under the orders at their current levels. This factor was supported by transportation data which showed that the sum of freight and icing costs, plus transportation tax, on butter shipped from the Midwest to Pacific Coast markets approximates 3 cents per pound of butter. Proponents indicated their concern over the "thinness" of the market as a basis for pricing butterfat under the milk marketing orders and the possibility that producers in each market would be left with an inadequate basis of pricing in the event such quotations became completely unavailable.

The number of quotations available on the San Francisco market, upon which a monthly average butter price may be computed, has tended to decrease in recent months. For example, in March 1957, a month with 21 trading days, no quotations for 93-score butter were published for the San Francisco market and quotations for 92-score butter were available on only five occasions. The discontinuance of such quotations could disrupt the orderly marketing of milk by causing interruption to the normal functioning of the pricing provisions of the orders. Since, as shown by the record, the Pacific Coast markets, including Seattle, are deficit markets, requiring the importation of butter from Midwest states each year, continuation of the present level of butterfat pricing in these markets by the proposed means is reasonable and appropriate. It should be noted in this connection that butter is the lowest-valued use of butterfat in the Puget Sound and Inland Empire markets and the proposed prices are not unreasonable for other uses of butterfat produced for such markets. However, to simplify the pricing provisions under review, identical butterfat quotations should be used for the dual purposes of Class II pricing and butterfat differentials. Such a revision would not cause a significant change from present levels of butterfat pricing. It is concluded that with the modifications indicated the proposal should be adopted for each market.

(2) A provision for the determination and announcement by the Secretary of Agriculture of "equivalent prices" should be adopted for the Puget Sound and Inland Empire orders.

Proposals to include an "equivalent price" provision under each of the orders were considered at the hearing. Such a provision is designed to meet an emergency situation in which a price quotation necessary to a price formula in the order, or for any other purpose, may not be available to the market administrator. In such event, the Secretary would determine a price equivalent to the price quotation previously employed.

The proposed amendment is precautionary and designed to provide a method of continuing the pricing of milk under the orders whenever it is not possible to foresee, in sufficient time to issue an order amendment, the termination or revision of the particular price quotations required to be used in pricing milk. It is generally recognized that some provision of this type is necessary to meet

such an emergency since it is not physically possible to consider and issue order amendments on an immediate basis in the event a price quotation necessary to a pricing formula becomes unavailable without prior indication of the change. The provision proposed will remove uncertainty as to the procedure to be followed in the absence of any price quotation customarily used and thereby will prevent unnecessary interruption in the operation of the orders. Such a provision should be made a part of both the Puget Sound and Inland Empire orders.

(3) The provisions of the Puget Sound order setting forth certain conditions under which milk may be diverted from one price district of the marketing area to another during April, May, and June should be deleted from the order.

Producer organizations supplying milk to the Puget Sound marketing area proposed the deletion from the Puget Sound order of the provision which permits the unlimited diversion of milk from one price district of the marketing area to another during April, May, and June if such milk had been delivered to a pool plant in the price district from which diverted on 60 percent or more of the delivery days during the preceding August-December period. The effect of the present provision is to permit the producers of such milk diverted to be considered, under specified conditions, as producers delivering to a plant in the district from which the milk was diverted even though the milk actually was received at another location where a different uniform price applies. Thus, the handler is credited under the market-wide pooling arrangement for having paid the producer of such milk the uniform price applicable at the plant from which the milk was diverted. The provision was designed primarily to minimize the necessity for shipping milk to market in the flush production season when not required there for fluid uses, and thus to permit the orderly and economic disposition of milk supplies.

There has been a tendency for abuse of the diversion privilege in the months of April, May and June. From such practice a particular handler or group of producers may profit at the expense of producers as a whole. For example, the cost of moving milk from a plant in District No. 4, outlying the market, may be assumed to be 20 cents per hundredweight. A handler having a plant in such outlying district can qualify producers whose milk normally would be received there as producers of District No. 1 (Seattle) where the price under the order is 20 cents per hundredweight higher than in the outlying district. Qualification of the producer for District No. 1 is achieved by receipt of his milk from the farm at a District No. 1 plant on 60 percent of the days of delivery. On the other 40 percent of the days of delivery he may divert such milk to his plant in the outlying district, receive credit for paying the District No. 1 uniform price to his producers, and avoid the expense of actually delivering the milk to District No. 1. The potential saving is 8 cents per hundredweight (40 percent of 20 cents) when the 60 per-

cent delivery requirement is met, and 20 cents per hundredweight when no delivery requirement is applicable.

The practices of diversion and transfer solely for the purpose of taking advantage of the credits available from the producer-settlement fund while little, if any, of the milk involved is actually needed in District No. 1 represent abuses of the provision which are disadvantageous to producers generally. It is possible that the loss to producers generally could amount to as much as 3 to 4 cents per hundredweight on base milk. This is a significant amount of money, particularly when considered in terms of the operations of a particular handler or the relatively small number of handlers or producers who might benefit from such practices.

The proposal offered would require handlers to receive producer milk at District No. 1 plants on 60 percent of the days of delivery in April, May and June, as well as in other months, in order for such milk to be priced as District No. 1 milk in such specified months. This represents a significant tightening of the diversion privilege, but yet will permit milk not needed in District No. 1 as the result of daily fluctuations in sales, and week-end and holiday close downs of bottling operations, to be diverted for economical disposition in manufacturing plants. It is concluded that the proposal should be adopted.

General findings. (a) The proposed marketing agreements and the orders, now in effect, and as proposed to be amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act;

(b) The parity prices of milk as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds and other economic conditions which affect market supply and demand for milk in the said marketing areas, and the minimum prices specified in the proposed marketing agreements and in the orders, now in effect, and as hereby proposed to be amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest, and

(c) The proposed marketing agreements and the orders, now in effect, and as proposed to be amended, will regulate the handling of milk in the same manner as, and are applicable only to persons in the respective classes of industrial and commercial activity specified in, the said marketing agreements upon which a hearing has been held.

Recommended marketing agreement and amendments to the Puget Sound, Washington, order. The following amendments to the Puget Sound, Washington, order are recommended as the detailed and appropriate means by which the foregoing conclusions may be carried out. The recommended marketing agreement is not included in this decision because the regulatory provisions thereof would be identical with those contained in the order as hereby proposed to be amended:

1. In § 925.13 (a) add the word "and" immediately following the semi-colon at the end of the paragraph.

2. Delete § 925.13 (b) and (c) and substitute therefor the following:

(b) For the purposes of applying the provisions of paragraph (a) of this section in the case of a producer on every-other-day delivery, the days of non-delivery shall be considered as days of delivery.

3. Delete § 925.51 (b) (1) and substitute therefor the following:

(1) Add 3 cents to the simple average of the daily wholesale selling prices (using the midpoint of any price range as one price) of Grade AA (93-score) bulk creamery butter per pound at Chicago, as reported by the Department, during the month, and multiply the result by 4.8: *Provided*, That if no price is reported for Grade AA (93-score) butter, the highest of the prices reported for Grade A (92-score) butter for that day shall be used in lieu of the price for Grade AA (93-score) butter.

4. Delete § 925.52 (a) and (b) and substitute therefor the following:

(a) *Class I milk*. Add 3 cents to the simple average of the daily wholesale selling prices per pound (using the midpoint of any price range as one price) of Grade AA (93-score) bulk creamery butter at Chicago, as reported by the Department during the preceding month, multiply the result by .120, and round to the nearest tenth of a cent: *Provided*, That if no price is reported for Grade AA (93-score) butter, the highest of the prices reported for Grade A (92-score) butter for that day shall be used in lieu of the price for Grade AA (93-score) butter.

(b) *Class II milk*. Add 3 cents to the simple average of the daily wholesale selling prices per pound (using the midpoint of any price range as one price) of Grade AA (93-score) bulk creamery butter at Chicago, as reported by the Department during the month, multiply the result by .115, and round to the nearest tenth of a cent: *Provided*, That if no price is reported for Grade AA (93-score) butter, the highest of the prices reported for Grade A (92-score) butter for that day shall be used in lieu of the price for Grade AA (93-score) butter.

5. Add a new § 925.55 as follows:

§ 925.55 *Use of equivalent prices*. If for any reason a price quotation required by this part for computing class prices or for other purposes is not available in the manner described, the market administrator shall use a price determined by the Secretary to be equivalent to the price which is required.

Recommended marketing agreement and amendments to the Inland Empire order. The following amendments to the Inland Empire order are recommended as the detailed and appropriate means by which the foregoing conclusions may be carried out. The recommended marketing agreement is not included in this decision because the regulatory provisions thereof would be identical with those contained in the order as hereby proposed to be amended:

1. Delete § 1008.51 (c) (1) and substitute therefor the following:

(1) Add 3 cents to the simple average of the daily wholesale selling prices (using the midpoint of any price range as one price) of Grade AA (93-score) bulk creamery butter per pound at Chicago, as reported by the Department during the month, and multiply the result by 4.8: *Provided*, That if no price is reported for Grade AA (93-score) butter, the highest of the prices reported for Grade A (92-score) butter for that day shall be used in lieu of the price for Grade AA (93-score) butter.

2. Delete § 1008.52 (a) and (b) and substitute therefor the following:

(a) *Class I milk*. Add 3 cents to the simple average of the daily wholesale selling prices per pound (using the midpoint of any price range as one price) of Grade AA (93-score) bulk creamery butter at Chicago, as reported by the Department during the preceding month, multiply the result by .123, and round to the nearest tenth of a cent: *Provided*, That if no price is reported for Grade AA (93-score) butter, the highest of the prices reported for Grade A (92-score) butter for that day shall be used in lieu of the price for Grade AA (93-score) butter.

(b) *Class II milk and Class II-A milk*. Add 3 cents to the simple average of the daily wholesale selling prices per pound (using the midpoint of any price range as one price) of Grade AA (93-score) bulk creamery butter at Chicago, as reported by the Department, during the month, multiplying the result by .115, and round to the nearest tenth of a cent: *Provided*, That if no price is reported for Grade AA (93-score) butter, the highest of the prices reported for Grade A (92-score) butter for that day shall be used in lieu of the price for Grade AA (93-score) butter.

3. Add a new § 1008.54 as follows:

§ 1008.54 *Use of equivalent prices*. If for any reason a price quotation required by this part for computing class prices or for other purposes is not available in the manner described, the market administrator shall use a price determined by the Secretary to be equivalent to the price which is required.

Issued at Washington, D. C., this 26th day of April 1957.

[SEAL] ROY W. LENNARTSON,
Deputy Administrator.

[F. R. Doc. 57-3521; Filed, Apr. 30, 1957;
8:47 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 3]

[Docket No. 12005; FCC 57-407]

RADIO BROADCAST SERVICES; TELEVISION
BROADCAST STATIONS

NOTICE OF PROPOSED RULE MAKING

1. Notice is hereby given of proposed rule making in the above entitled matter.

2. Section 3.606, the television Table of Assignments, was adopted in its present form in the Sixth Report and Order on April 11, 1952. It was determined at that time that television broadcast channels could be more efficiently and equitably allocated on the basis of a fixed Table of Assignments than on the basis of individual applications. We then stated that our conclusion to adopt such an allocation plan was based on the following considerations:

(a) The Table would make for a more efficient use of the available channels.

(b) It would better protect the interests of the smaller communities and rural areas by preventing preemption of available channels by the larger cities.

(c) It would be an effective means of reserving channels for educational purposes.

(d) It would eliminate certain procedural disadvantages in connection with the processing of applications.

3. Five years have elapsed since the adoption of the Sixth Report and Order. The number of operating stations has increased from the 108 "pre-freeze" stations to approximately 500 stations. There are, in addition, about 165 authorized stations which have not yet been constructed. Thus, the Table has served well its purpose of avoiding procedural difficulties and helping to bring television service to almost the entire country at the earliest possible time. It now appears that we should reexamine, in the light of the current development of television service, the considerations leading to the adoption of a fixed Table of Assignments in order to determine whether the public interest might be better served by the initiation of a procedure for allocating television channels on the basis of individual applications.

4. Approximately 90 percent of the VHF commercial assignments listed in the Table of Assignments have either been authorized or have been applied for, and most of the balance are in sparsely settled areas, chiefly west of the Mississippi River. Because of the outstanding VHF authorizations, there are very few areas (and again most of these are west of the Mississippi) where additional VHF channels may be added in keeping with the station separation requirements of the rules. Thus, it is apparent that, at least as far as the VHF channels are concerned, the allocation pattern has been so well established that efficiency in allocation is no longer a compelling reason for a fixed Table of Assignments. And the pattern which has been developed will effectively reserve the great majority of the unclaimed VHF channels for the benefit of the small communities in sparsely settled areas. Moreover, even though UHF authorizations have not come up to expectations, it appears that the UHF allocation pattern has been quite firmly set by the grants that have been made, so that any greater efficiency resulting from use of a fixed table might now be outweighed by the greater flexibility of the application method. This is particularly true with respect to the assignment of low and high UHF channels in neighboring communities, since in many cases the com-

munity more interested in establishing local television service has been assigned the less desirable channels.

5. When the Table of Assignments was adopted, the Commission was faced with a huge backlog of television applications, with an unknown number of applicants ready to file their applications when the "freeze" was lifted. Only through a fixed table could the Commission have acted as expeditiously as it did in processing applications, with the result that television service was provided to almost all the nation's population in a relatively short time. Now the situation is different. The backlog of pending applications is no greater than the backlog of petitions for changes in the Table of Assignments, many of which request the drop-in of a VHF or low UHF channel. In several instances it has been noted that the rule making process has consumed more time than the processing of an application subsequently filed. Hence, it appears that the Commission's workload might be considerably lessened and the public interest might be better served and television service more expeditiously provided by eliminating the procedural step of rule making to make a channel available for use in any given community. In addition, if a prospective applicant is relieved of the expenditure of time and money in rule making proceedings and assured that any channel is available which meets technical requirements, he might be encouraged to seek out new or underserved television markets.

6. However, we do not feel that the time has yet come when the Table of Assignments should be completely abandoned. We believe that it is still necessary and appropriate in the public interest to preserve the educational reservations not yet claimed and to protect UHF areas from encroachment by new VHF stations. In our view, any change in the Rules as to availability of television channels must make allowance for such factors.

7. Hence, our proposal is not to delete the Table of Assignments in its entirety, but to maintain a Table containing all noncommercial educational assignments (which cannot be deleted without rule making) and, for the convenience of applicants, all assignments within 250 miles of the Canadian and Mexican borders which have been accepted pursuant to international agreements. We would also amend § 3.607 of the Rules to provide that, so long as minimum separation requirements with respect to existing authorizations and minimum field intensity requirements are met, applications might be filed for new or changed facilities on any channel in any community, with the exceptions that no application would be accepted if (1) it did not meet the minimum separation requirements with respect to noncommercial educational assignments listed in the Table of Assignments, or (2) it requests a VHF operation within 75 miles of the transmitter location of an authorized

UHF station,¹ unless (a) the proposed transmitter site is beyond an existing VHF transmitter, or (b) the principal city served by the UHF station is receiving Grade A or better service from two or more existing VHF stations, or (c) the principal city to be served by the proposed VHF station is already receiving a city grade signal from two or more VHF stations. We believe that some such limitation on the further spread of VHF service into UHF areas is a necessary precaution in preserving the status quo at least until we have completed our inquiry into the feasibility of transferring all or a substantial part of television broadcasting to the UHF band.² At the same time, we do not anticipate that the limitation will seriously impede the development of a nationwide television service, since our study has not revealed many UHF areas where a new VHF channel, meeting all separation requirements, could be used.

8. The proposed changes in the Table of Assignments and § 3.607 would require editorial changes in other sections of Part 3 of the rules and the deletion of § 1.378 (d) of Part 1. There is set forth below the suggested rule changes necessary to effectuate these proposals. The Commission invites interested parties to submit comments and relevant data on the proposals contained herein. It is emphasized, however, that the Commission is not at this time soliciting, nor will it consider in this proceeding, any requests for the deletion or addition of specific noncommercial educational assignments or for any amendment with respect to station separations or any other technical limitation.

9. Authority for the adoption of the amendments proposed herein is contained in sections 4 (i), 301, 303 (c), (d) (f) and (r) and 307 (b) of the Communications Act of 1934, as amended.

10. Any interested party who is of the view that the proposed amendments should not be adopted, or should not be adopted in the form set forth herein, may file with the Commission on or before June 3, 1957, a written statement setting forth his comments. Comments supporting the proposed amendments may also be filed on or before the same date. Comments in reply to original comments may be filed within 15 days from the last date for filing said original comments. No additional comments may be filed unless specifically requested by the Commission or good cause for the filing of such additional comments is established.

11. In accordance with the provisions of § 1.764 of the Commission's rules and regulations, an original and 14 copies of

¹ The 75 miles separation is suggested as a reasonable distance which would generally prevent a Grade B signal from covering the city in which the UHF station is authorized.

² Any action on our part in terminating the inquiry will, of course, await the report of the industry-sponsored Television Allocations Study Organization (TASO) and the results of the industry's crash program of UHF research.

all statements, briefs or comments shall be furnished the Commission.

Adopted: April 24, 1957.

Released: April 26, 1957.

FEDERAL COMMUNICATIONS
COMMISSION,³

[SEAL] MARY JANE MORRIS,
Secretary.

CHANNEL UTILIZATION

§ 3.605 *Carrier frequency offset.* In order to obtain the most favorable possible desired to undesired signal ratio and the maximum service areas in any group of stations operating on the same channel, specified stations will be required to operate with their carrier frequencies offset 10 kc above or below the normal carrier frequencies. The channel assignments of such stations will be identified by a plus or minus mark.

§ 3.606 *Table of assignments—(a) General.* The following table contains (1) the channel assignments reserved for use by noncommercial educational broadcast stations in the listed communities in the United States, its Territories, and possessions, and (2) assignments for communities within 250 miles of the Canadian and Mexican borders that have been accepted pursuant to international agreements. The non-commercial educational reservations are designated with an asterisk. A non-commercial educational assignment may be added to or deleted from the Table of Assignments only through rule making proceedings. Changes in the border assignments (other than educational reservations) will be made administratively as required by actions on individual applications.

(b) *Table of Assignments.* (The Table is not set forth herein, but will include the educational reservations and assignments within 250 miles of the Canadian and Mexican borders, as listed in the present Table of Assignments)

§ 3.607 *Availability of channels.* (a) Subject to the provisions of paragraphs (b), (c) and (d) of this section, applications may be filed to construct new television broadcast stations or to make changes in the facilities of existing stations (commercial or noncommercial educational) in any community on any channel listed in § 3.603: *Provided, however,* That the proposed transmitter location meets the minimum separation requirements of § 3.610 with respect to existing authorizations and the minimum field intensity requirements of § 3.685. Applications which fail to comply with these requirements will not be accepted for filing.

(b) Assignments reserved for educational purposes are available only for use by noncommercial educational broadcast stations. No application for the construction of a new commercial television broadcast station or to change the trans-

³ Commissioners Bartley and Lee dissenting. Dissenting statement of Commissioner Hyde and concurring statement of Commissioner Mack filed as part of the original document.

mitter site of an existing station, whether or not accompanied by a petition to amend the Table of Assignments (§ 3.606 (b)), will be accepted for filing if the proposed transmitter location does not meet the minimum spacing requirements of § 3.610 with respect to a non-commercial educational assignment listed in the Table of Assignments whether or not such noncommercial educational assignment is under authorization.

(c) No application for the construction of a new commercial television broadcast station to operate on Channels 2 to 13, inclusive, or no application for change in the transmitter location of an existing VHF station shall be accepted for filing if the proposed transmitter location is within 75 miles of the transmitter location of a station authorized for operation on a UHF frequency (Channels 14-83, inclusive) unless one or more of the following conditions exist:

(1) The principal city served by the UHF station is already receiving Grade A or better service (§ 3.683) from two or more VHF stations.

(2) The proposed transmitter location is at a greater distance from the UHF station than the transmitter of a VHF station located in the same general direction from the UHF station.

(3) The principal city to be served by the proposed VHF station already receives a city grade signal from two or more VHF stations.

(d) Unless the assignment requested is listed in the Table of Assignments, an application to construct a station with a proposed transmitter location within 250 miles of either the Canadian or Mexican border shall be accepted for filing subject to the provisions of any agreements entered into by the United States with Canada and Mexico.

§ 3.610 *Station separations.* (a) Applications for new television broadcast stations or for changes in the transmitter sites of existing stations will not be accepted for filing if they fail to comply with the requirements specified in paragraphs (b), (c) and (d) of this section as to the distance between the proposed

transmitter site and the transmitter of an authorized station or the location of a noncommercial educational assignment listed in the Table of Assignments (§ 3.606 (b)) but not currently authorized. Distances shall be computed in accordance with the provisions of § 3.611.

NOTE: Licensees and permittees of television broadcast stations which were operating on April 14, 1952 pursuant to one or more separations below those set forth in § 3.610 may continue to so operate, but in no event may they further reduce the separations below the minimum. As the existing separations of such stations are increased, the new separations will become the required minimum separations until separations are reached which comply with the requirements of § 3.610. Thereafter, the provisions of said section shall be applicable.

(b) Minimum co-channel station separations:

Zone	Channels 2-13	Channels 14-83
	Miles	Miles
I.....	170	155
II.....	190	175
III.....	220	205

(2) The minimum co-channel mileage separation between a station in one zone and a station in another zone shall be that of the zone requiring the lower separation.

(c) Minimum station adjacent channel separations applicable to all zones:

Channels 2-13	Channels 14-83
60 miles	55 miles

(2) Due to the frequency spacing which exists between Channels 4 and 5, between Channels 6 and 7, and between Channels 13 and 14, the minimum adjacent channel separations specified above shall not be applicable to these pairs of channels (see § 3.603).

(d) In addition to the requirements of paragraphs (a), (b) and (c) of this section, the minimum station separations between stations on Channels 14-83, inclusive, as set forth in Table IV of § 3.698

must be met in either rule-making proceedings looking towards the addition of a noncommercial educational assignment to the Table of Assignments (§ 3.606 (b)) or in licensing proceedings. No channel listed in column (1) of Table IV of § 3.698 will be assigned to any city, and no application for an authorization to operate on such a channel will be granted unless the mileage separations indicated at the top of columns (2)-(7), inclusive, are met with respect to each of the channels listed in those columns and parallel with the channel in column (1).

(e) The zone in which the transmitter of a television station is located or proposed to be located determines the applicable rules with respect to co-channel mileage separations where the transmitter is located in a different zone from that in which the channel to be employed is located.

§ 3.611 *Reference points and distance computations.* (a) Station separations shall be determined by the distance between the coordinates of the proposed transmitter site and the coordinates of all authorized or proposed transmitter sites for the pertinent channels. Where a pertinent channel has an unused non-commercial educational assignment the station separation shall be determined by the coordinates of the pertinent community as set forth in the publication of the United States Department of Commerce entitled "Air Line Distances Between Cities in the United States," or, if not contained therein, the coordinates of the main post office of such pertinent community. (The Department of Commerce publication may be purchased from the Government Printing Office, Washington, D. C.)

(b) In measuring station separations involving an unused noncommercial educational assignment for cities listed in the Table of Assignments in combination, separation measurements shall be made from the reference point which will result in the lowest separation.

(c) [Same as present § 3.611 (d).]

[F. R. Doc. 57-3539; Filed, Apr. 30, 1957; 8:52 a. m.]

NOTICES

DEPARTMENT OF DEFENSE

Department of the Navy

ORGANIZATION STATEMENT

OFFICE OF THE JUDGE ADVOCATE GENERAL

In Organization Statement of the Department of the Navy, published at 16 F. R. 12573-12590, delete subsection H appearing at 16 F. R. 12585-12586 and insert the following subsection in lieu thereof:

H. *Office of the Judge Advocate General.* (a) The Office of the Judge Advocate General, authorized by the act of June 8, 1880 (21 Stat. 164) as revised and reenacted (10 U. S. C. 5148), has

cognizance of all major phases of military, administrative and applied law listed below as are incident to the operation of the Department of the Navy. In substance, the organization consists of a Judge Advocate General, a Deputy and Assistant Judge Advocate General who performs the duties of the Judge Advocate General in the latter's absence, an Assistant Judge Advocate General (International and Administrative Law), an Assistant Judge Advocate General (Personnel, Reserve and Management), an Assistant Judge Advocate General (Military Justice) and fourteen principal divisions designated as International Law, Admiralty, Civil Law, Administrative Law, Litigation, Personnel Security,

Military Personnel, Administrative Management, Naval Reserve and Legal Assistance, Appellate Defense, Military Justice, Investigations, Editorial and Research, and Bureau of Naval Personnel Discipline Liaison Divisions. Within the several divisions are branches and sections performing specific functions embraced by the mission of the parent division. In addition to the divisions of the Office, there are special assistants and the Boards of Review organized pursuant to article 66 of the Uniform Code of Military Justice (10 U. S. C. 866); two of the Boards are the principal part of the Office of the Judge Advocate General of the Navy, West Coast, located at San Bruno, California.

(b) The main functions of the divisions of the Judge Advocate General's Office may be summarized as follows:

(1) *International law.* Examination of legal aspects of matters affecting the field of international relations under the cognizance of the Chief of Naval Operations; providing legal advice in foreign negotiations and agreements; consideration of problems of jurisdiction over naval personnel arising as a result of the North Atlantic Treaty Organization Status of Forces Agreement (4 UST 1792) and other similar arrangements; maintaining liaison with State and Defense Departments, particularly during the negotiation of military agreements; providing legal advice to the Secretary of the Navy, the Chief of Naval Operations, and the Bureaus and Offices of the Navy Department in the field of international law, especially with regard to such matters as the law of naval warfare, civil government, territorial waters and airspace, immigration and naturalization, foreign diplomatic claims, and foreign military assistance. In addition, where possible the Division conducts indoctrination briefings for all officers assigned to missions, military assistance groups, Naval Attache billets and foreign legal billets prior to their departure from the United States.

(2) *Admiralty.* Principal function is the settlement of admiralty tort claims, both against and in favor of United States naval vessels; in addition, the Division handles claims filed against the Navy for salvage and towage services. The Division controls all phases of the processing of admiralty claims, including investigation, survey and settlement negotiations; the Division is assisted by trained admiralty officers stationed in most naval districts and in certain other commands. Where settlement cannot be effected and litigation ensues, the Division cooperates in preparing the cases for trial, and often in the trial itself. A further function is the preparation of waiver certificates designed to exempt naval vessels from the normal requirements of applicable Rules of the Road. The Division also furnishes opinions on miscellaneous topics of an admiralty nature as they arise. In connection with admiralty matters, the Division maintains liaison with the Department of Justice, Maritime Administration, Coast Guard, and other Governmental departments and agencies concerned with the administration of the navigation and shipping laws.

(3) *Civil law.* The Division consists of three branches: General Claims Branch, Local Legal Assistance Branch, and Military Promotions and Retirements Branch.

(i) General Claims Branch formulates, supervises and coordinates Navy claims policies and procedures relating to the world-wide processing, adjudication or other disposition of administrative claims for and against the United States under the provisions of claims statutes and international agreements relating to the Department of the Navy. These include claims cognizable under the Military Claims Act (10 U. S. C. 2733), Foreign Claims Act (10 U. S. C. 2734, 31

U. S. C. 224d), Military Personnel Claims Act (10 U. S. C. 2732, 31 U. S. C. 222c), Federal Tort Claims Act (28 U. S. C. 2671-2680), the NATO Status of Forces Agreement (4 UST 1792) and similar international agreements. Protects the interests of the Government by collecting monies due on property damage claims in favor of the United States in tort cases; makes recommendations to the Attorney General as to the advisability of instituting tort actions and assists together with the Litigation Division in the litigation of these actions; renders cooperation to the Department of Justice, including the furnishing of investigative reports and other documents to the United States Attorney in preparation of prosecution or defense of tort suits in favor of or against the United States, and makes recommendations as to compromise; proposes and comments on legislation and amendments to statutes and regulations relating to claims; and cooperates in conferences with other interested Government agencies within and outside the Department of the Navy on such matters.

(ii) Local Legal Assistance Branch provides legal assistance to members of the naval service and their dependents in the Washington area.

(iii) Military Promotions and Retirements Branch is the office through which are processed most Navy and Marine Corps officer promotions and voluntary retirements and all Navy and Marine Corps personnel retirements or separations for physical disability; reviews for legality and takes necessary action with respect to records of proceedings of Examining Boards, Physical Evaluation Boards, Navy and Marine Corps Selection Boards (and the preparation of general messages regarding the results thereof), Naval Retiring Review and Naval Medical Survey Review Boards and other miscellaneous boards; and prepares precepts convening or changing membership of the above boards.

(4) *Administrative law.* Concerned with the solution of problems of administrative law arising in the administration of the Naval Establishment.

(i) General Affairs Branch advises and prepares opinions and correspondence on a variety of questions arising in the internal administration of the Navy Department and relating to naval personnel, reserve matters, training matters, veterans' affairs, administrative regulations, and interdepartmental relations. In addition, the branch cooperates with the Office of Legislative Liaison in the preparation and coordination of comments on proposed legislation, Congressional correspondence and related matters.

(ii) Civilian Employee Affairs Branch prepares opinions and correspondence on questions relating primarily to the civilian branch of the Naval Establishment, nonappropriated fund instrumentalities under the jurisdiction of the Department of the Navy, quarters and rental housing for military and civilian personnel, the acceptance of gifts to the Navy, disposals of Navy property under 10 U. S. C. 7308 and other disposals of property as referred to the branch.

(iii) Regulations Branch reviews for legality proposed new material for, and proposed changes in, manuals and other regulatory publications of the Navy Department, its Bureaus and Offices, and Headquarters Marine Corps; prepares, edits or reviews material for publication in the FEDERAL REGISTER, the Code of Federal Regulations, and the U. S. Government Organization Manual, and maintains liaison for these purposes with the Office of the Secretary of Defense and the Federal Register Division of the General Services Administration; the head of the branch is the Federal Register Liaison and Certifying Officer for the Department of the Navy.

(iv) Fiscal and Taxation Branch composed of the Pay and Allowances Section, the Fiduciary Affairs Section and the Taxation Section. The Pay and Allowances Section considers questions of law which relate to basic and special pay of members of the naval service, subsistence and quarters allowances, travel and transportation, personal money allowances, retirement pay, and problems concerning disbursements. The Fiduciary Affairs Section has cognizance over cases involving the establishment and administration of trusteeships over Navy pay of mentally incompetent retired naval personnel. The Taxation Section handles tax problems involving the Naval Establishment (including State and local tax problems of naval personnel and of the nonappropriated fund activities of the Navy) except for matters handled by the Office of the General Counsel.

(5) *Litigation.* Has Navy Department responsibility for litigation, other than admiralty and contractual matters.

(i) One phase of this Division's work is assisting the Department of Justice in the preparation and defense of suits involving the Department of the Navy brought in U. S. District Courts. This includes defending tort suits, criminal prosecution of members of the Naval Establishment (uniformed and civilian), suits against officers and officials of the Naval Establishment for actions arising out of their official duties, habeas corpus, injunctions and mandamus. This Division also assists the Department of Justice in the defense of claims against the Government arising in the Department of the Navy and being litigated in the Court of Claims. In furtherance of this responsibility the Division obtains factual and technical information and assists in the preparation of the Government's legal position, including the preparation of legal briefs and memoranda. Additionally, the Division obtains witnesses and documentary evidence to be used in the trial of these cases. Close liaison is maintained at the working level with the Department of Justice, United States Attorneys in the field, all Bureaus and Offices in the Navy Department, and with the other divisions of the Judge Advocate General's Office.

(ii) Another phase of this Division's work involves representing the Department of the Navy in its relations with State and local authorities by acting on requests by such authorities for the delivery of naval personnel (1) as witnesses in civil and criminal trials, (2)

for prosecution of a criminal charge where such personnel are within the jurisdiction of the State desiring to prosecute, and (3) for prosecution of a criminal charge where such personnel are outside the jurisdiction of the State desiring to prosecute and extradition proceedings are necessary.

(iii) In addition to producing the records and information necessary to the functions described in items (i) and (ii), the Division, as the designee of the Secretary of the Navy, is charged with the responsibility for the release of Navy Department records and information therefrom either in response to court orders or in the absence thereof, as provided in the 1955 Naval Supplement to the Manual for Courts-Martial and U. S. Navy Regulations 1948 revised (cf. 32 CFR Part 701).

(iv) Other duties of the Division include obtaining naval personnel and Navy civilian employees as witnesses pursuant to requests from the Department of Justice in cases not involving the Department of the Navy, processing applications for Presidential Pardons and maintaining liaison with the United States Pardon Attorney, arranging interviews of military and civilian personnel when such information or interview pertains to matters in litigation or may affect possible future litigation or is in connection with matters arising out of their official duties, accepting service of subpoenas or other civil process directed to the Secretary of the Navy or persons in the Naval Establishment in their official capacity, furnishing addresses of and answering inquiries regarding debts incurred by naval personnel; and collection and accounting connected with fees charged for supplying documents, records and information to certain non-exempt individuals (32 CFR 144.1-144.8).

(6) *Personnel security.* (i) reviews cases under the civilian and the military Personnel Security Program for legality of the charges, compliance with the law and regulations, and determination of the sufficiency of the information on which action or proposed action is predicated;

(ii) Makes available to local security boards an examiner, a law specialist trained in personnel security matters, to attend the hearings, advise the boards in security hearing procedures and insure that all pertinent information is developed and brought to the attention of the board; and

(iii) Serves as a repository for the precedents in all security matters. The latter function involves a correlation of actions taken by local commands in the screening and hearing of cases in order to establish uniform standards and to avoid conflicting and confusing holdings.

(7) *Military personnel.* Assigns officers detailed for duty in the Office of the Judge Advocate General to appropriate billets within the Office and coordinates with the Bureau of Naval Personnel the assignment of naval officers designated as law specialists to legal billets within the Navy Department and throughout the Operating Forces and Shore Establishment (10 U. S. C. 806 (a)). The Division renders assistance

to the officers concerned in career planning, based on consideration of training and experience of the individual officer, billet requirements and all other factors to bring about satisfaction, success and efficient performance of duty. In addition, the Division handles security clearances of officer personnel of the Office and supervises the custody and control of classified matter within the Office; further, the Division maintains the officer personnel records and prepares all necessary reports concerning officer members of the Office.

(8) *Administrative management.* Handles all matters relative to employment, management, and administration of civilian personnel for the Office; maintains complete budget and accounting programs for the Office including the Office of the Judge Advocate General sub-head of the Department of Defense Claims appropriation; administers the legal publications program for the Office and for law specialists throughout the Navy; maintains the law library including legislative reference services; maintains mail, records, supply and management functions, including office security, civilian personnel security clearances, and work measurement and statistics.

(9) *Naval Reserve and legal assistance.* Supervises and coordinates the organization and training of inactive-duty law specialist officers of the Naval Reserve who, fully organized and trained, will constitute the reserve from which will be drawn the officers to fill the additional legal billets required in time of emergency expansion. The training of law specialists is accomplished through the media of lectures, correspondence courses, training films, special courses in naval justice, law seminars, conferences, and annual active training duty cruises of two weeks' duration; a continuous "on the job" training program is in operation at the Office. The Division also supervises and coordinates legal assistance for members of the naval service and their dependents throughout the Naval Establishment in cooperation with national, State and local bar associations and legal aid organizations with whom the Division maintains close liaison.

(10) *Appellate defense.* The officers (law specialists) assigned to this Division perform the statutory functions of appellate defense counsel for accused before Boards of Review and the Court of Military Appeals (10 U. S. C. 870).

(11) *Military justice.* Primarily assists in carrying out the functions assigned to the office of the Judge Advocate General by the Uniform Code of Military Justice (10 U. S. C. 801-940) including the supervision of the administration of military justice in the field and the survey of operations under the Code. There are five branches.

(i) Correspondence Branch answers inquiries with respect to specific court-martial cases; furnishes information to Members of Congress and interested parties, and advises as to the current status of cases which have been received in the office of the Judge Advocate General. This branch also, when required,

solicits pertinent information from the field.

(ii) Advisory Legal Branch reviews all decisions of Boards of Review together with the records of trial for legality and makes recommendations for certification of issues to the Court of Military Appeals and recommends publication of certain cases. Prepares actions for the exercise of clemency by the Secretary of the Navy and the Judge Advocate General under the Uniform Code of Military Justice (10 U. S. C. 874). Prepares charges and specifications for general courts-martial ordered by the Secretary of the Navy. Prepares orders instructing convening authorities to take action on court-martial sentences in accordance with decisions of Boards of Review and the Court of Military Appeals and any action taken thereon by the Judge Advocate General or the Secretary of the Navy. Prepares opinions on the legality of court-martial trials. Initiates actions to correct legal and procedural errors in the administration of naval justice. Prepares actions for the Secretary of the Navy designating court-martial convening authorities.

(iii) Review Branch reviews for legal sufficiency the records of proceedings of all general courts-martial in which the sentence, as approved, does not affect a general or flag officer, or does not extend to death, dismissal, discharge, or confinement for one year or more, and all special courts-martial (not including a discharge) and summary courts-martial which have not been reviewed in the field by a law specialist. Reviews and makes recommendations to the Judge Advocate General on petitions for new trials.

(iv) Appellate Government Counsel Branch represents the United States when directed before Boards of Review and the Court of Military Appeals.

(v) Court-Martial Records Branch is responsible for receipt and control of court-martial records. Promulgates decisions and interlocutory orders of Boards of Review and the Court of Military Appeals. Records statistical data with respect to each case.

(12) *Investigations.* Reviews for legal sufficiency the records of proceedings of investigations and courts of inquiry. Disseminates the records to pertinent offices and bureaus of the Department of the Navy. Prepares appointing orders for fact-finding bodies convened by the Secretary of the Navy. Prepares opinions on the legality of proceedings of fact-finding bodies, and initiates action to correct legal and procedural errors or omissions in investigative matters. Maintains liaison with the Veterans' Administration for the purpose of furnishing information which it requests regarding injuries or deaths to naval personnel in order to determine eligibility for pension benefits. Prepares opinions on "line of duty" and "misconduct" status of naval personnel injured in non-combat incidents. Prepares answers to inquiries from Members of Congress, next of kin, attorneys, insurance companies and others relating to investigations and courts of inquiry.

(13) *Editorial and research.* Organizes opinions originating in the Office of

the Judge Advocate General, prepares digests for publication. Studies and coordinates proposed changes to the Uniform Code of Military Justice (10 U. S. C. 801-940) and the Manual for Courts-Martial. Marks law officer's correspondence course for Bureau of Naval Personnel. Also prepares questions and answers for such courses and promotion examinations when requested. Handles special research and publication projects as assigned.

(14) *Bureau of Naval Personnel Discipline Liaison.* Coordinates with the Bureau of Naval Personnel the review of court-martial sentences as to disciplinary features; examines court-martial records and sentences as to clemency, and makes recommendations for the Chief of Naval Personnel in these respects with a view to maintain uniform standards and policies in disciplinary matters for naval personnel.

Dated: April 25, 1957.

By direction of the Secretary of the Navy.

[SEAL] **CHESTER WARD,**
Rear Admiral, U. S. Navy,
Judge Advocate General of the Navy.

[F. R. Doc. 57-3531; Filed, Apr. 30, 1957;
8:50 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

NEW MEXICO

NOTICE OF PROPOSED WITHDRAWAL AND RESERVATION OF LANDS

APRIL 23, 1957.

The United States Department of Agriculture has filed an application, Serial No. New Mexico 023844, for the withdrawal of lands described below, from all forms of appropriation, including mineral leasing and the general mining laws.

The applicant desires the land for research purposes in furtherance of the McSweeney-McNary Act (45 Stat. 699, as amended).

For a period of 30 days from the date of publication of this notice, persons having cause may present their objections in writing to the undersigned official of the Bureau of Land Management, Department of the Interior, P. O. Box 1251, Santa Fe, New Mexico.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

The lands involved in the application are:

NEW MEXICO PRINCIPAL MERIDIAN PINE FLAT EXPERIMENTAL AREA

T. 9 N., R. 6 E.,
Sec. 7, SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 18, NE $\frac{1}{4}$.
The area described aggregates 200 acres.

NO AGUA EXPERIMENTAL RANGE

T. 29 N., R. 9 E.,
Sec. 32, N $\frac{1}{2}$;
Sec. 33, N $\frac{1}{2}$.
The area described aggregates 640 acres.

CEBOLLA MESA EXPERIMENTAL RANGE

T. 28 N., R. 12 E.,
Sec. 28, NW $\frac{1}{4}$;
Sec. 29, E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$.
The area described aggregates 440 acres.

CLOUDCROFT EXPERIMENTAL FOREST

T. 16 S., R. 11 E.,
Sec. 1, S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 12.
T. 15 S., R. 12 E.,
Sec. 25, S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 36.
T. 16 S., R. 12 E.,
Sec. 7, Lot 4;
Sec. 16.
The area described aggregates 2120 acres.

E. R. SMITH,
State Supervisor.

[F. R. Doc. 57-3509; Filed, Apr. 30, 1957;
8:45 a. m.]

[Classification 20]

COLORADO

SMALL TRACT CLASSIFICATION

APRIL 23, 1957.

1. Pursuant to authority delegated to me by Bureau Order No. 541, dated April 21, 1954 (19 F. R. 2473), I hereby classify the following described public lands totalling 69.96 acres, in Hinsdale County, Colorado, as suitable for lease and sale for residence and business site purposes or public sale under the Small Tract Act of June 1, 1938 (52 Stat. 609; 43 U. S. C. 682a), as amended, subject to valid existing rights and the provisions of existing withdrawals:

NEW MEXICO PRINCIPAL MERIDIAN, COLORADO

43 N., R. 4 W.,
Sec. 15, lot 24;
Sec. 22, lots 5, 8 and 17.

Containing 69.96 acres which have not been sub-divided into small tracts.

2. Classification of the above-described lands by this order segregates them from all appropriations, including locations under the mining laws, except as to applications under the mineral leasing laws.

3. The lands classified by this order shall not become subject to application under the Small Tract Act of June 1, 1938 (52 Stat. 609; 43 U. S. C. 682a), as amended, until it is so provided by an order to be issued by an authorized officer, opening the lands to application or bid with a preference right to veterans of World War II and of the Korean Conflict and other qualified persons entitled to preference under the act of September 17, 1944 (58 Stat. 497; 43 U. S. C. 279-284), as amended.

MAX CAPLAN,
State Supervisor.

APRIL 23, 1957.

[F. R. Doc. 57-3510; Filed, Apr. 30, 1957;
8:45 a. m.]

[C-016204, C-013676, C-014614]

COLORADO

RESTORATION ORDER UNDER FEDERAL POWER ACT

APRIL 24, 1957.

Pursuant to the following listed determinations of the Federal Power Commission and in accordance with authority delegated to me by the Director, Bureau of Land Management, by section 2.5 of Order No. 541, dated April 21, 1954 (19 F. R. 2473-2476), it is ordered as follows:

Subject to valid existing rights and the provisions of existing withdrawals, the lands hereinafter described, so far as they are withdrawn or reserved for power purposes, are hereby opened to disposition under the public land laws, subject to the provisions of section 24 of the Federal Power Act of June 10, 1920 (41 Stat. 1075; 16 U. S. C. 818), as amended.

Determination No.	Dates and types of withdrawal	Description of lands
DA-386	Withdrawn temporarily Feb. 18, 1910, and confirmed July 2, 1910, as Power Site Reserve No. 116 by executive order.	T. 6 S., R. 89 W., Sec. 3, S $\frac{1}{2}$ SE $\frac{1}{4}$
DA-391	Power Site Reserve 124, approved July 2, 1910, and construed by Interpretation No. 110, dated May 12, 1928.	T. 2 S., R. 90 W., Sec. 6, Lot 4.
DA-392	Power Site Classification No. 392, approved July 29, 1943.	Ute Meridian, Colo.; T. 2 S., R. 1 E., Sec. 6, Lots 5, 6, 7.

The above described lands contain 247.34 acres more or less of public land.

The land described in DA-386 is about two miles upstream from the town of Glenwood Springs in Garfield County, Colorado. The Colorado River, U. S. Highway 6 and 24 and the Denver and Rio Grande Railroad cross the tract. The lands described in DA-391 lie east of the South Fork of the White River, about 6 miles southeast of the town of Buford, in Rio Blanco County, Colorado. The lands described in DA-392 lie on the north bank of the Gunnison River about six miles downstream from the town of Whitewater in Mesa County, Colorado. The lands are only moderately accessible and are topographically unfit for agriculture other than grazing. It is not likely that any of the tracts are suitable for homesites.

No application for the lands will be allowed under the homestead, desert-land, small tract, or any other nonmineral public land law unless the lands have already been classified as valuable or suitable for such type of application, or shall be so classified upon consideration of an application. Any application that is filed will be considered on its merits. The lands will not be subject to occupancy or disposition until they have been classified.

The lands described will be subject to application by the State of Colorado for a period of 90 days beginning May 16, 1957 and ending August 15, 1957 for right-of-way for public highways or as a source of material for construction and

maintenance of such highways, in accordance with and subject to the provisions of section 24 of the Federal Power Act, as amended.

Subject to any existing rights and the requirements of applicable law, the lands described are hereby opened to filing of applications, selections, and locations in accordance with the following:

a. The lands have been open to location and entry under the United States Mining Laws pursuant to the Act of August 11, 1955 (69 Stat. 683; 30 U. S. C. 621), and to applications and offers under the Mineral Leasing Laws. Applications and selections under the non-mineral public-land laws may be presented to the Manager mentioned below, beginning on the date of this order. Such applications and selections will be considered as filed on the hour and respective dates shown for the various classes enumerated in the following paragraphs:

(1) Applications by persons having prior existing valid settlement rights, preference rights, conferred by existing laws, or equitable claims subject to allowance and confirmation will be adjudicated on the facts presented in support of each claim or right. All applications presented by persons other than these referred to in this paragraph will be subject to the applications and claims mentioned in this paragraph.

(2) All valid applications under the homestead, desert-land, and small tract laws by qualified veterans of World War II or of the Korean Conflict, and by others entitled to preference rights under the act of September 27, 1944, (58 Stat. 747; 43 U. S. C. 279-284, as amended), presented prior to 10:00 a. m. on May 30, 1957 will be considered as simultaneously filed at that hour. Rights under such preference right applications filed after that hour and before 10:00 a. m. on August 29, 1957 will be governed by the time of filing.

(3) All valid applications and selections under the nonmineral public-land laws, other than those coming under paragraphs (1) and (2) above, presented prior to 10:00 a. m. on August 29, 1957 will be considered as simultaneously filed at that hour. Rights under such applications and selections filed after that hour will be governed by the time of filing.

Persons claiming veterans' preference rights under paragraph a(2) above must enclose with their applications proper evidence of military or naval service, preferably a complete photostatic copy of the certificate of honorable discharge. Persons claiming preference rights based upon valid settlement, statutory preference, or equitable claims must enclose properly corroborated, statements in support of their applications, setting forth all facts relevant to their claims. Detailed rules and regulations governing applications which may be filed pursuant to this notice can be found in Title 43 of the Code of Federal Regulations.

Inquires regarding the lands shall be addressed to the Manager, Land Office, Bureau of Land Management, 357 New

Custom House, Box 1018, Denver 1, Colorado.

MAX CAPLAN,
State Supervisor.

[F. R. Doc. 57-3511; Filed, Apr. 30, 1957;
8:45 a. m.]

[Serial No. Idaho 06898]

IDAHO

NOTICE OF PUBLIC HEARING

APRIL 22, 1957.

Notice is hereby given that public hearing will be held at 10:00 a. m. on the 12th day of June next, in Room 104, Bannock County Court House, as a hearing of record, on the application of the City of Alameda in order to afford all parties in interest an opportunity to be heard and to submit written brief to show cause why the following-described lands should or should not be sold to the City of Alameda for a refuse disposal area, in accordance with the terms and provisions of the act of June 14, 1926 (44 Stat. 741), as amended by the act of June 4, 1954 (68 Stat. 173; 43 U. S. C. 869):

BOISE MERIDIAN, IDAHO

T. 6 S., R. 35 E., B. M., Idaho,
Sec. 29, NW $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 30, S $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$.

J. R. PENNY,
State Supervisor.

[F. R. Doc. 57-3533; Filed, Apr. 30, 1957;
8:50 a. m.]

[Serial No. Idaho 08047]

IDAHO

NOTICE OF PROPOSED WITHDRAWAL AND RESERVATION OF LANDS; CORRECTION

APRIL 23, 1957.

A Notice of Proposed Withdrawal and Reservation of Lands, Idaho 08047, by the Atomic Energy Commission, dated March 11, 1957, published in the FEDERAL REGISTER March 19, 1957, Volume 22, No. 53, Page 1785, is hereby corrected to include the following portions of lands omitted previously:

BOISE MERIDIAN, IDAHO

T. 7 N., R. 30 E.,
Secs. 22 to 27 inclusive.

J. R. PENNY,
State Supervisor.

[F. R. Doc. 57-3534; Filed, Apr. 30, 1957;
8:51 a. m.]

UTAH

NOTICE OF HEARING ON PROPOSED WITHDRAWALS ON PUBLIC LAND

APRIL 23, 1957.

Notice is hereby given that a public hearing will be held beginning at 10:00 a. m., Wednesday, June 12, 1957, in the Escalante Hotel, Cedar City, Utah. The subject of the hearing will be the pro-

posed withdrawal of lands adjacent to Zion National Park, and the Capitol Reef and Arches National Monuments, as proposed by the National Park Service, Department of the Interior.

The proposals would withdraw the public domain lands described hereafter from appropriation under the public land laws, including the general mining laws. The proposed withdrawals would retain the lands in public ownership to preserve and protect their scenic, natural and recreational resources for the enjoyment of the public, and promote administration of the existing withdrawals to which they are pertinent. The lands proposed for withdrawal as additions to these parks and monuments contain scenic attractions and are needed to facilitate administration, public use and protection of the public park and monuments, to provide a possible site for water supply and development, to provide a fixed boundary along land lines, to protect rare fossils, and for construction of access roads to areas now relatively inaccessible.

The lands proposed for withdrawal are described as follows:

For addition to Zion National Park:

SALT LAKE MERIDIAN

T. 41 S., R. 10 W.,
Sec. 28: E $\frac{1}{2}$ NE $\frac{1}{4}$;
Sec. 29: W $\frac{1}{2}$;
Sec. 31: All.

For addition to Capitol Reef National Monument:

SALT LAKE MERIDIAN

T. 29 S., R. 5 E.,
Sec. 1: Remainder of the section south of right-of-way of State Highway No. 24.
T. 29 S., R. 6 E.,
Secs. 5, 6 and 9: Remainder of the sections south of the right-of-way of State Highway No. 24;
Sec. 8: Remainder of the section south of the right-of-way of State Highway No. 24 except that portion south of Sulphur Creek;
Secs. 7 and 17: All that portion of the sections north of Sulphur Creek;
Sec. 26 S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$.
T. 30 S., R. 7 E.,
Sec. 20: N $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$.

For addition to Arches National Monument:

SALT LAKE MERIDIAN

T. 24 S., R. 21 E.,
Sec. 11: NE $\frac{1}{4}$.

For a period of 30 days from the date of publication of this notice, persons having cause may present their objections in writing to the undersigned official of the Bureau of Land Management, Department of the Interior, Post Office Box No. 777, Salt Lake City 10, Utah.

The hearing will be open to attendance of opponents to the withdrawal where they may state their views and to proponents of the withdrawal who may explain its purpose, intent and extent; and to all interested persons who desire to be heard on the subject. Those who desire to be heard in person at the hearing and those who desire to submit written statements should file notice thereof not later than June 5, 1957, with the State Supervisor, Bureau of Land Man-

agement, Federal Building, Post Office Box No. 777, Salt Lake City 10, Utah.

The determination of the Secretary on the proposed withdrawals will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

VAL B. RICHMAN,
State Supervisor.

[F. R. Doc. 57-3535; Filed, Apr. 30, 1957;
8:51 a. m.]

[Serial No. Idaho 07789]

IDAHO

ORDER PROVIDING FOR RESTORATION
OF PUBLIC LANDS

APRIL 23, 1957.

Pursuant to section 16 of the Federal Airport Act (60 Stat. 179; 49 U. S. C. 1115) the following described lands have reverted to the United States:

BOISE MERIDIAN, IDAHO

T. 8 S., R. 17 E.,
Sec. 22, N $\frac{1}{2}$ NW $\frac{1}{4}$.

The area described totals 80 acres of public lands.

The above lands are generally suitable for agricultural development by the application of water for irrigation. The vegetative cover consists mainly of cheatgrass and mustard with scattered sagebrush, giant wildrye and crested wheatgrass. The surface relief varies from nearly level to gently undulating. The elevation is 4,035 feet. The land is located about three miles east of Jerome, Jerome County, Idaho, in Idaho Grazing District No. 5.

No application for these lands will be allowed under the homestead, desert land, small tract, or any nonmineral public land law, unless the lands have already been classified as valuable or suitable for such type of application, or shall be so classified upon consideration of an application. Any application that is filed will be considered on its merits. The lands will not be subject to occupancy or disposition until they have been classified.

Subject to any valid existing rights and the requirements of applicable laws, the lands described herein are hereby opened to filing of applications and selections in accordance with the following:

Applications and selections under the nonmineral public land laws may be presented to the Manager mentioned below, beginning on the date of this order. Such applications and selections will be considered as filed on the hour and respective dates shown for the various classes enumerated in the following paragraphs:

(1) Applications by persons having prior existing valid settlement rights, preference rights conferred by existing laws, or equitable claims, subject to allowance and confirmation will be adjudicated on the facts presented in support of each claim or right. All applications presented by persons other than those referred to in this paragraph will be subject to the application and claims mentioned in this paragraph.

(2) All valid applications under the homestead, desert land and small tract laws by qualified veterans of World War II and, or, the Korean Conflict, and by others entitled to preference rights under the act of September 27, 1944 (58 Stat. 747; 43 U. S. C. 279 through 284, as amended), presented prior to 10:00 a. m. on May 29, 1957, will be considered as simultaneously filed at that hour. Rights under such preference right applications filed after that hour and before 10:00 a. m. on August 28, 1957, will be governed by the time of filing.

(3) All valid applications and selections under the nonmineral public land laws others than those coming under Paragraphs (1) and (2) above, presented prior to 10:00 a. m. on August 28, 1957, will be considered as simultaneously filed at that hour. Rights under such applications and selections filed after that hour will be governed by the time of filing.

Persons claiming veteran's preference rights under Paragraph (2) above must enclose with their applications proper evidence of military or naval service, preferably a complete photostatic copy of the certificate of honorable discharge. Persons claiming preference rights based upon valid settlement, statutory preference, or equitable claims must enclose properly corroborated statements in support of their applications, setting forth all facts relevant to their claims. Detailed rules and regulations governing applications which may be filed pursuant to this notice can be found in Title 43 of the Code of Federal Regulations.

Inquiries concerning these lands shall be addressed to the Manager, Land Office, Bureau of Land Management, P. O. Box 2237, Boise, Idaho.

J. R. PENNY,
State Supervisor.

[F. R. Doc. 57-3546; Filed, Apr. 30, 1957;
8:52 a. m.]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

CRAIG LIVESTOCK AUCTION ET AL.

POSTED STOCKYARDS

Pursuant to the authority delegated to the Director, Livestock Division, Agricultural Marketing Service, United States Department of Agriculture, under the Packers and Stockyards Act, 1921, as amended (7 U. S. C. 181 et seq.), on the respective dates specified below, it was ascertained that the livestock markets named below were stockyards within the definition of that term contained in section 302 of the act (7 U. S. C. 202) and were, therefore, subject to the act, and notice was given to the owners and to the public by posting notice at the stockyards as required by said section 302.

Name of Stockyard and Date of Posting

COLORADO

Craig Livestock Auction, Craig; March 21, 1957.
Alsburg's Sales Pavilion, Glenwood Springs; March 23, 1957.

Rifle Sales Yard, Rifle; March 22, 1957.
Yampa Valley Livestock Sales, Steamboat Springs; March 20, 1957.
H. & G. Livestock Commission Company, Montrose; March 11, 1957.

IDAHO

Valley Livestock Commission Company, Rupert; March 11, 1957.

IOWA

Humboldt Livestock Auction, Humboldt; March 12, 1957.
Colfax Sales Company, Colfax; April 1, 1957.
Belle Plaine Sales Barn, Belle Plaine; April 2, 1957.
Kalona Sales Barn, Kalona; April 2, 1957.
Fairfield Livestock Commission Company, Fairfield; April 2, 1957.
Wapello Livestock Auction, Wapello; April 3, 1957.
Low Moor Sales Company, Low Moor; April 3, 1957.

LOUISIANA

Delhi Livestock Auction, Delhi; March 29, 1957.
Micelle's Commission Yards, Lake Charles; March 27, 1957.
Barnes' Commission Company, Lake Charles; March 28, 1957.
Avoyelles Livestock Commission Market, Mansura; March 28, 1957.
West Monroe Livestock Auction, Inc., West Monroe; March 29, 1957.

TEXAS

Mills County Commission Company, Goldthwaite; April 3, 1957.
Wills Point Livestock Commission Company, Wills Point; April 3, 1957.
Clarksville Auction Company, Clarksville; April 1, 1957.
Gatesville Commission Company, Gatesville; March 19, 1957.
Clifton Livestock Commission Company, Clifton; March 19, 1957.
Ranger Livestock Commission Company, Ranger; March 18, 1957.
Stephenville Auction Company, Stephenville; March 18, 1957.
Bryan Livestock Exchange, Bryan; March 18, 1957.
Madison County Livestock Commission Company, Madisonville; March 18, 1957.
Lexington Livestock Commission, Lexington; April 3, 1957.
Austin Stockyards Corporation, Austin; April 1, 1957.
Capital Livestock Auction Company, Austin; April 2, 1957.
Lockhart Livestock Auction Company, Lockhart; April 4, 1957.
Columbus Livestock Commission Company, Columbus; April 2, 1957.
Grabow's Livestock Commission Company, Brenham; April 3, 1957.
Producers Livestock Auction Company, San Angelo; April 1, 1957.
San Angelo Livestock Auction Company, San Angelo; April 1, 1957.
Menard County Commission Company, Menard; April 2, 1957.
Mason Auction Company, Inc., Mason; April 2, 1957.
The Heart of Texas Commission Company, Brady; April 3, 1957.

Done at Washington, D. C., this 25th day of April 1957.

[SEAL]

DAVID M. PETTUS,
Acting Director, Livestock Division,
Agricultural Marketing Service.

[F. R. Doc. 57-3551; Filed, Apr. 30, 1957;
8:53 a. m.]

MIDWAY SALES CO. ET AL.

PROPOSED POSTING OF STOCKYARDS

The Director of the Livestock Division, Agricultural Marketing Service, United States Department of Agriculture, has information that the livestock markets named below are stockyards as defined in section 302 of the Packers and Stockyards Act, 1921, as amended (7 U. S. C. 202), and should be made subject to the provisions of the act.

Midway Sales Company, Columbus Junction, Iowa.

Washington Livestock Sales Company, Washington, Iowa.

W. H. Hodges and Company, Crowley, Louisiana.

W. H. Hodges and Company, New Roads, Louisiana.

W. H. Hodges and Company, Tallulah, Louisiana.

La Grange Livestock Auction Company, La Grange, Texas.

Notice is hereby given, therefore, that the said Director, pursuant to authority delegated under the Packers and Stockyards Act, 1921, as amended (7 U. S. C. 181 et seq.), proposes to issue a rule designating the stockyards named above as posted stockyards subject to the provisions of the act, as provided in section 302 thereof.

Any person who wishes to submit written data, views, or arguments concerning the proposed rule may do so by filing them with the Director, Livestock Division, Agricultural Marketing Service, United States Department of Agriculture, Washington 25, D. C., within 15 days after publication hereof in the FEDERAL REGISTER.

Done at Washington, D. C., this 25th day of April 1957.

[SEAL] DAVID M. PETTUS,
Acting Director, Livestock Division,
Agricultural Marketing Service.

[F. R. Doc. 57-3550; Filed, Apr. 30, 1957; 8:53 a. m.]

[P. & S. Docket No. 425]

SIOUX CITY STOCK YARDS CO.

NOTICE OF PETITION FOR MODIFICATION OF RATE ORDER

Pursuant to the provisions of the Packers and Stockyards Act, 1921, as amended (7 U. S. C. 181 et seq.), an order was issued on June 28, 1956 (15 A. D. 671), continuing in effect to and including August 2, 1958, an order issued on July 28, 1953 (12 A. D. 853), authorizing the respondent, Sioux City Stock Yards Company, Sioux City, Iowa, to assess the current temporary schedule of rates and charges.

On April 18, 1957, respondent, by its attorney, filed a petition requesting that the current temporary schedule of rates and charges be modified in certain respects, and that the respondent be authorized to assess the current temporary schedule of rates and charges, as so modified, to and including June 1, 1959. The modifications requested by the respondent are set forth below.

YARDAGE CHARGES

	Present rate per head	Proposed rate per head
Salable receipts (including plants)		
Cattle (except bulls 700 pounds or over).....	\$0.77	\$0.80
Bulls (minimum 700 pounds).....	.77	1.10
Calves.....	.45	.47
Hogs.....	.29	.30
Direct receipts		
Cattle (except bulls 700 pounds or over).....	.39	.40
Bulls (minimum 700 pounds).....	.39	.55
Calves.....	.23	.24
Resales by dealers for local delivery		
Cattle (except bulls 700 pounds or over).....	.21	.30
Bulls (minimum 700 pounds).....	.21	.40
Calves.....	.15	.19
Hogs.....	.08	.10
Resales by dealers for shipment off market		
Cattle (except bulls 700 pounds or over).....	.10	.15
Bulls (minimum 700 pounds).....	.10	.20
Calves.....	.07	.09
Hogs.....	.04	.05

DIPPING OR SPRAYING

	Present rate per head	Proposed rate per head
Sheep.....	\$0.07 (minimum \$10.50).	\$0.10 (minimum \$15.00).

CLEANING AND DISINFECTING

	Present rate	Proposed rate
(a) Pens and chutes:		
Single load pen.....	\$2.50.....	\$4.00.
Double load pen.....	\$4.00.....	\$6.00.
Chutes.....	\$2.50.....	\$4.00.
Alleys.....	1/4¢ per sq. ft.	1/2¢ per sq. ft.
(b) Trucks and trailers:		
Charges for use of facilities:		
Cleaning trucks and trailers.....	\$0.25.....	\$1.00.
Cleaning and washing trucks or trailers.....	\$0.50.....	\$1.50.
Charges for disinfecting—Trucks or wagons.....	\$0.25.....	\$0.50.

WEIGHING

Charges per draft.....	\$0.50.....	\$1.00.
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The respondent also requests that the current schedule of rates and charges be further modified to authorize it to put into effect and assess the following charges for the driving of livestock to railroad chutes:

Cattle, bulls, calves, horses and/or mules, \$2.00 per car.
Hogs, sheep or goats, \$1.00 per deck.
For more than 2 pens per car, \$1.00 per pen.

Driving charges not applicable on through bill cars.

The modifications, if authorized, will produce additional revenue for the respondent and increase the cost of marketing livestock. It appears, therefore, that this public notice of the filing of the

petition and its contents should be given in order that all interested persons may have an opportunity to indicate a desire to be heard in the matter.

All interested persons who desire to be heard in the matter shall notify the Hearing Clerk, United States Department of Agriculture, Washington 25, D. C., within 15 days after the publication of this notice in the FEDERAL REGISTER.

Done at Washington, D. C., this 25th day of April 1957.

[SEAL] DAVID M. PETTUS,
Acting Director, Livestock Division,
Agricultural Marketing Service.

[F. R. Doc. 57-3523; Filed, Apr. 30, 1957; 8:48 a. m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-46]

ACF INDUSTRIES, INC.

NOTICE OF PROPOSED ISSUANCE OF FACILITY EXPORT LICENSE

Please take notice that the Atomic Energy Commission (hereinafter "the Commission") proposes to issue, on Form AEC-250, the facility export license described below unless within 15 days after publication of this notice in the FEDERAL REGISTER, a request for a formal hearing is filed with the Commission in the manner prescribed by § 2.102 (b) of the Commission's rules of practice (10 CFR Part 2).

1. Pursuant to section 104 (c) of the Atomic Energy Act of 1954 (hereinafter "the act") and Title 10, CFR, Chapter 1, Part 50, "Licensing of Production and Utilization Facilities," and findings by the Commission that (a) the reactor proposed to be exported is a utilization facility; (b) the issuance of a license for the export thereof is within the scope of and is consistent with the terms of an agreement for cooperation with the Republic of Italy; and (c) the issuance of an export permit to ACF Industries, Incorporated, will not be inimical to the common defense and security and to the health and safety of the public, the Commission will issue a license to ACF Industries, Incorporated, 30 Church Street, New York, New York, for the export of a 5000-kilowatt tank-type, heavy water cooled and moderated research reactor described in the applicant's license application filed December 12, 1956. The reactor is to be exported to the Comitato Nazionale per le Ricerche Nucleari, an agency of the Italian Republic.

2. The license will be subject to the following conditions:

(a) Neither the license nor any right under the license shall be assigned or otherwise transferred in violation of the provisions of the act.

(b) The license will be subject to the right of recapture or control reserved by section 108 of the act and to all other provisions of the act, now or hereafter in effect, and to all rules and regulations of the Commission.

(c) The license will be effective as of the date of issuance thereof and shall

expire on December 31, 1958, unless sooner terminated.

Dated at Washington, D. C., this 25th day of April 1957.

For the Atomic Energy Commission.

H. L. PRICE,
Director,

Division of Civilian Application.

[F. R. Doc. 57-3532; Filed, Apr. 30, 1957;
8:50 a. m.]

CIVIL SERVICE COMMISSION

CERTAIN PROFESSIONAL VETERINARIAN POSITIONS THROUGHOUT THE CONTINENTAL UNITED STATES, INCLUDING ALL TERRITORIES AND POSSESSIONS, AND IN FOREIGN COUNTRIES

NOTICE OF INCREASE IN MINIMUM RATES OF PAY

Under the provisions of section 803 of the Classification Act of 1949, as amended (68 Stat. 1106; 5 U. S. C. 1133), pursuant to 5 CFR 25.103, 25.105, the Commission has increased the minimum rate of pay for all professional veterinarian positions at grade GS-7 and GS-9 in the Veterinary Science Group, GS-700-0. The new rate for GS-7 has been set at \$5,335 (the top step of the grade) and for grade GS-9 at \$6,115 (the sixth step of the grade). These increases will be effective on the first day of the first pay period which begins 60 calendar days after April 22, 1957, and applies to these positions throughout the continental United States, including all territories and possessions, and in foreign countries.

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] WM. C. HULL,
Executive Assistant.

[F. R. Doc. 57-3536; Filed, Apr. 30, 1957;
8:51 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 8685]

COMPANIA ECUATORIANA DE AVIACION, S. A.

NOTICE OF PREHEARING CONFERENCE

In the matter of the application of Compania Ecuatoriana de Aviacion, S. A. under section 402 of the Civil Aeronautics Act of 1938, as amended, for foreign air carrier permit to engage in foreign air transportation in scheduled and non-scheduled operations with respect to mail, persons and property between the Republic of Ecuador and Miami, Florida, U. S. A. via intermediate points.

Notice is hereby given that a prehearing conference in the above-entitled application is assigned to be held on May 7, 1957, at 10:00 a. m., e. d. s. t., in Room 5132, Commerce Building, 14th Street and Constitution Avenue NW., Washington, D. C., before Examiner Ferdinand D. Moran.

Dated at Washington, D. C., April 26, 1957.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F. R. Doc. 57-3547; Filed, Apr. 30, 1957;
8:53 a. m.]

[Docket No. 8689]

LOYD AEREO COLOMBIANO

NOTICE OF PREHEARING CONFERENCE

In the matter of the application of Lloyd Aereo Colombiano for a permit to engage in foreign air transportation pursuant to sections 402, 801 and 1102 of the Civil Aeronautics Act of 1938, as amended, between a point or points in Colombia and the intermediate point Havana, Cuba and the terminal point Miami, Florida.

Notice is hereby given that a prehearing conference in the above-entitled application is assigned to be held on May 3, 1957, at 10:00 a. m., e. d. s. t., in Room 1032, Temporary Building No. 5, Sixteenth Street and Constitution Avenue NW., Washington, D. C., before Examiner Barron Fredricks.

Dated at Washington, D. C., April 26, 1957.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F. R. Doc. 57-3548; Filed, Apr. 30, 1957;
8:53 a. m.]

[Docket No. 8178]

LOS ANGELES AIRWAYS, INC.

NOTICE OF POSTPONEMENT OF HEARING

In the matter of the application of Los Angeles Airways, Inc. under section 401 of the Civil Aeronautics Act of 1938, as amended, for approval of its temporary certificate of public convenience and necessity for route No. 84 and for renewal of its exemption authority.

Notice is hereby given that the hearing in the above-entitled proceeding heretofore assigned for May 1, 1957, has been postponed and will be held on May 21, 1957, at 10:00 a. m. (local time) in Room 229, U. S. Post Office and Court House Building, 312 North Spring Street, Los Angeles, California, before Examiner Joseph L. Fitzmaurice.

Dated at Washington, D. C., April 26, 1957.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F. R. Doc. 57-3600; Filed, Apr. 30, 1957;
8:55 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 11692]

FORMS USED BY THE SAFETY AND SPECIAL RADIO SERVICES BUREAU

The Commission having under consideration its "Inquiry on Adequacy and Suitability of Forms Used in the Safety and Special Radio Services," released May 1, 1956, inviting interested persons to submit suggestions, any time prior to a date to be later announced, on how the various forms may be improved;

It further appearing, that comments and suggestions have been received from several persons and organizations;

It further appearing, that sufficient time has elapsed in which interested per-

sons could file comments and that the public interest would be served by concluding this proceeding as soon as possible;

It is ordered, This 25th day of April 1957, that all comments or suggestions to be submitted in this proceeding shall be filed with the Commission on or before June 3, 1957.

Released: April 26, 1957.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 57-3540; Filed, Apr. 30, 1957;
8:52 a. m.]

[Docket No. 11934; FCC 57M-415]

TEXAS TECHNOLOGICAL COLLEGE

STATEMENT AND ORDER CONCERNING PREHEARING CONFERENCE

In re application of Texas Technological College, Lubbock, Texas, Docket No. 11934, File No. BPCT-2183; for a construction permit for a new television broadcast station.

Appearances. Vincent B. Welch, Esq., and Herbert E. Forrest, Esq., of Welch, Mott & Morgan, 710 14th Street, NW., Washington, D. C., on behalf of Texas Technological College.

David I. Kraushaar, Esq., on behalf of Chief, Broadcast Bureau, Federal Communications Commission.

1. A prehearing conference called pursuant to the provisions of § 1.813 of the Commission's rules was held April 15, 1957. The parties attending were those shown in the appearance clause above.

2. When the above case was originally designated for hearing a conflicting application by C. L. Trigg of Lubbock, Texas, Docket No. 11935, sought a permit for a television station to operate on Channel 5 in Lubbock. On April 11, 1957, Trigg filed a petition to dismiss his conflicting application without prejudice and the other parties to the proceeding consented to a grant of the relief therein sought and to a waiver of the provisions of § 1.745 of the rules to permit immediate consideration of the petition. On April 12, 1957, the Chief Hearing Examiner granted the petition and dismissed the application without prejudice. The above-entitled application was retained in hearing status.

3. Counsel for Texas Technological College agreed to dismiss all pending interlocutory pleadings filed by him and to file an amendment to his application so as to expedite the matter involved in the hearing.

It is ordered, This 23d day of April 1957, that further proceedings in this matter, including the hearing presently scheduled for April 24, 1957, be continued to a date to be established by subsequent order pending further action by the applicant and the Commission.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 57-3541; Filed, Apr. 30, 1957;
8:52 a. m.]

[Docket No. 11960; FCC 57M-388]
[Network Study Committee Order 2]

**NETWORK BROADCASTING
ORDER SCHEDULING HEARING**

In the matter of study of radio and television network broadcasting pursuant to Delegation Order No. 10, dated July 20, 1955, and Network Study Committee Order No. 1, dated November 21, 1955, Docket No. 11960.

It is ordered, This 23d of April 1957, that the investigatory proceeding provided for by the Order of the Commission adopted March 20, 1957 (FCC 57-281) shall be instituted and carried on for the purpose of taking testimony and receiving evidence relating to the inquiry set forth in Network Study Order No. 1 (FCC 55M-978) and Public Notice (FCC 55M-977), both adopted November 21, 1955.

It is further ordered, That, in furtherance of said inquiry James D. Cunningham shall constitute a board within the meaning of section 5 (d) (1) of the Communications Act of 1934, as amended, and shall convene an investigatory hearing at 10:00 a. m., on May 1, 1957, at the Federal Court House, Foley Square, New York, New York, and said James D. Cunningham shall preside at said hearing, shall take testimony, shall receive evidence, shall make a record thereof, shall certify the said record to the Network Study Committee, and shall be empowered to perform all other acts and duties in connection therewith as set forth in the order of the Commission adopted March 20, 1957 (FCC 57-281) as aforesaid.

Released: April 24, 1957.

**FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.**

[F. R. Doc. 57-3544; Filed, Apr. 30, 1957;
8:52 a. m.]

[Docket No. 12004]

**COMMUNITY CAB
ORDER TO SHOW CAUSE**

In the matter of Leonard M. and Helen K. Stevenson d/b as Community Cab, Lancaster, Pennsylvania, Docket No. 12004; Order to show cause why the license for Taxicab Radio Station KGB 733 should not be revoked.

There being under consideration the matter of certain alleged violations of the Commission's rules in connection with the operation of Taxicab Radio Station KGB 733, licensed to Leonard M. and Helen K. Stevenson, d/b as Community Cab, Union Station, 28-36 East Chestnut Street, Lancaster, Pennsylvania;

It appearing, that, pursuant to § 1.401 of the Commission's rules, notices of violations of the Commission's rules concerning the operation of such radio station were mailed to the licensee as follows:

(a) Notice dated October 26, 1956, specifying that said licensee violated

§ 16.160 (a) of the Commission's rules by failing to make available for inspection on October 16, 1956, the records of transmitter measurements required to be made by § 16.108; and

(b) Notice dated December 21, 1956, specifying that said licensee had failed to comply with § 16.159 of the Commission's rules by failing to respond to the above-mentioned notice dated October 26, 1956; and

It further appearing, that, despite a letter of warning sent to the licensee by certified mail on March 18, 1957, and received by the licensee's agent on March 19, 1957, in which the above-mentioned violations were specified again, and the licensee was requested to notify the Commission within fifteen (15) days from date of receipt of such letter of the steps taken to bring the operation of the radio station into compliance with the Commission's rules, to date no explanation or other response has been received from the licensee:

It is ordered, This 25th day of April 1957, pursuant to the provisions of section 312 (a) (2), (4) and (c) of the Communications Act of 1934, as amended, that the said Leonard M. and Helen K. Stevenson show cause why the aforesaid taxicab radio station license should not be revoked and appear and give evidence in respect thereto at a hearing¹ to be held at the offices of the Commission in Washington, D. C., commencing at 10:00 a. m. on the 5th day of June 1957, and

It is further ordered, That the Secretary send a copy of this Order by Certified Mail—Return Receipt Requested to the said Leonard M. and Helen K. Stevenson, d/b as Community Cab, Union Bus Depot, 36 East Chestnut Street, Lancaster, Pennsylvania.

Released: April 26, 1957.

**FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.**

[F. R. Doc. 57-3545; Filed, Apr. 30, 1957;
8:52 a. m.]

¹ Section 1.402 of the Commission's rules provides that in order to have the opportunity to appear before the Commission at the time and place specified in an Order to Show Cause, a licensee shall within thirty (30) days from the date of the receipt of a Show Cause Order submit a written statement informing the Commission whether said licensee will appear at the designated hearing and present evidence upon the matters specified, or whether the rights to such a hearing are waived. Waiver of the hearing may be accompanied by a statement setting forth the reasons why the licensee believes that an Order of Revocation should not be issued. A waiver unaccompanied by such a statement will be deemed to be an admission of the allegations specified in the Order to Show Cause. Failure to respond to a Show Cause Order within the above-mentioned thirty (30) day period, or, having informed the Commission in writing within the above-mentioned thirty (30) day period that the licensee will appear at the hearing and present evidence upon the matter specified and then failing to appear at the hearing, will be deemed to be a waiver of the right to a hearing and an admission of the allegations specified in the Order to Show Cause.

FEDERAL POWER COMMISSION

[Docket No. G-9080 etc.]

**REPUBLIC NATURAL GAS CO. ET AL.
NOTICE OF APPLICATIONS AND DATE OF
HEARING**

APRIL 25, 1957.

In the matters of Republic Natural Gas Company,¹ Docket No. G-9080; Aladdin Petroleum Corporation,² Docket No. G-9113; A. W. Cherry et al.,³ Docket No. G-9963; The New Drilling Company, Docket No. G-10113; The Bradley Producing Corporation, Docket No. G-10283; The Texas Company, Operator, Docket No. G-10339; Union Pacific Railroad Company, Docket No. G-10476; Cities Service Oil Company, Docket No. G-10483; Kerr-McGee Oil Industries, Inc., Docket No. G-10720; Mrs. Nellie Virginia Kelley, Docket No. G-10856; Murphy Corporation, Docket No. G-10971; Phillips Petroleum Company, Docket Nos. G-10978, G-11177, G-11376, G-11401, G-11472; The Atlantic Refining Company, Docket No. G-11499; Sun Oil Company, Docket Nos. G-10984, G-11072, G-11199, G-11251, G-11299; Shell Oil Company, Docket Nos. G-10987, G-11242, G-11408, G-11508; M. B. Rudman et al.,⁴ Docket No. G-10993; The Superior Oil Company, Docket Nos. G-11004, G-11074; Natural Gasoline Corporation, Docket No. G-11011; Warren Petroleum Corporation, Operator, Docket No. G-11012; Warren Petroleum Corporation, Operator, et al.,⁵ Docket No. G-11013; Walter Kuhn, Operator, et al.,⁶ Docket No. G-11027; Clegg & Hunt, Operator, et al.,⁷ Docket No. G-11035; J. P. Neill et al.,⁸ Docket No. G-11045; Kerins & Hickey, Docket No. G-11058; Barnwell Production Company, Operator,⁹ Docket No. G-11078; J. R. Cone, Operator, Docket No. G-11098; Edwin L. Cox, Docket No. G-11100; Sunray Mid-Continent Oil Company, Docket No. G-11122; Union Gas Corporation, Docket No. G-11170; Parker Petroleum Company, Inc., Docket No. G-11176; City Products Corporation et al.,¹⁰ Docket No. G-11187; H. L. Brown, Operator, et al.,¹¹ Docket No. G-11191; Shore Exploration Company et al.,¹² Docket No. G-11194; Leonard W. Phillips, Docket No. G-11201; Pan American Petroleum Corporation,¹³ Docket Nos. G-11208, G-11479, G-11511; Carnes W. Weaver, Docket No. G-11209; Tidewater Oil Company, Docket No. G-11212; Genevieve Tarlton Dougherty et al.,¹⁴ Docket No. G-11220; Skelly Oil Company,¹⁵ Docket Nos. G-11226, G-11240, G-11379, G-11418, G-11429; Pan American Petroleum Corporation, Operator, et al.,¹⁶ Docket No. G-11231; Forest Oil Corporation, Operator, et al.,¹⁷ Docket No. G-11233; Tom Cook, Jr., Operator, et al.,¹⁸ Docket No. G-11238; Gulf Oil Corporation, Docket No. G-11241; J. Frank Brown, Operator,¹⁹ Docket No. G-11250; Cabot Carbon Company, Docket No. G-11517; Highland Oil Company, Docket No. G-11255; McCall Drilling Company, Inc., Docket No. G-11256; Russell Maguire, Operator, et al.,²⁰ Docket No. G-11264; Paul Shaffer, Operator, et al.,²¹

See footnotes on p. 3088.

Docket No. G-11273; Western Poca-hon-tas Corporation, Docket No. G-11281; John H. Grimm, Operator, et al.,²¹ Docket No. G-11282; Union Oil Company of California, Docket No. G-11292; James Doughty, Operator, et al.,²² Docket No. G-11297; John W. Mecom, d. b. a. Mecom Petroleum, Docket No. G-11370; The Atlantic Refining Company, Oper-ator, et al.,²³ Docket No. G-11407; Ethel May Neal Lewis et al.,²⁴ Docket No. G-11410; Harrell Drilling Company, Docket No. G-11412; Realitos Oil Company, Docket No. G-11413; George Jackson, Docket Nos. G-11416, G-11417; Nortex Oil and Gas Corporation, Operator, et al.,²⁵ Docket No. G-11419; Hurt Oil Com-pany, Ltd., Operator, et al.,²⁶ Docket No. G-11421; Christie, Mitchell and Mitchell, et al.,²⁷ Docket No. G-11430; C. V. Lyman, d. b. a. Lyman-Damascus Operations, Docket No. G-11435; Nue-Wells Pipe Line Company, Docket No. G-11436; Flournoy Drilling Company, Operator, et al.,²⁸ Docket No. G-11437; Sam Sklar, Trustee, Operator, et al.,²⁹ Docket No. G-11438; J. Frank Brown, Operator,³⁰ Docket No. G-11441; R. J. Braden et al., Docket No. G-11451; A. M. Cooper et al., Docket No. G-11452; Commercial Gas Company, Docket No. G-11453; Hays and Company, Inc., Agent for S. A. Hays Lease, Docket No. G-11454; Claud B. Hamill, Docket No. G-11455; Getty Oil Company, Docket No. G-11461; Elk River Coal & Lumber Company, Docket No. G-11462; Halbert, Jennings, and Simic, Operator, et al.,³¹ Docket No. G-11463; Halbert, Jennings, and Simic, Operator, et al.,³² Docket No. G-11464; Bert Fields et al.,³³ Docket No. G-11473; M. F. Powers, Docket No. G-11474; National Cooperative Refining Association, Operator,³⁴ Docket No. G-11482; Frank Zickefoose,³⁵ Docket No. G-11485; Colo-rado Oil and Gas Corporation, Docket No. G-11489; Rock Hill Oil Company, Operator, et al.,³⁶ Docket No. G-11494; T. J. Neal, Docket No. G-11496; Halbert, Jennings and Simic, Operator, et al.,³⁷ Docket No. G-11498; Cain & Smith Gas Company No. 1, Docket No. G-11501; D. W. Law et al., by Hays and Company, Agent,³⁸ Docket No. G-11502; John E. Lydie, Docket No. G-11509; Amerada Petroleum Corporation, Docket No. G-11524; The Texas Company, Docket No. G-11534; Greenbrier Oil Company,³⁹ Docket No. G-11558.

Each of the above Applicants has filed an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, author-izing the respective Applicants to render services as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in their re-spective applications which are on file with the Commission and open for public inspection.

Applicants produce and propose to sell natural gas for transportation in inter-state commerce for resale as indicated below.

Docket No. G-; Location of Field; and Buyer
9080, 9113; Yellowstone Field, Woods County, Oklahoma; Cities Service Gas Com-pany.

9963; Camrick Southeast Gas Pool, Texas and Beaver Counties, Oklahoma; Natural Gas Pipeline Company of America.
10113; Pawnee Creek Field, Logan County, Colorado; Kansas-Nebraska Natural Gas Company, Inc.
10283; Camrick Southeast Gas Pool, Beaver County, Oklahoma; Natural Gas Pipeline Company of America.
10339, 10476; Table Rock Field, Sweetwater County, Wyoming; Colorado Interstate Gas Company.
10483; Underwood Field, Lavaca County, Texas; Tennessee Gas Transmission Company
10720; West Panhandle Field, Hutchinson and Moore Counties, Texas; Phillips Petro-leum Company.
10856; Panhandle Field, Carson County, Texas; Kerr-McGee Oil Industries, Inc.
10971; Ruston Field, Lincoln Parish, Loui-siana; Arkansas Louisiana Gas Company.
10978; Keyes Field, Cimarron County, Oklahoma; Colorado Interstate Gas Com-pany.
10984; Pistol Ridge Field, Forrest County, Mississippi; United Gas Pipe Line Company.
10987; Various fields in Pleaquemines Parish, Louisiana; Tennessee Gas Transmis-sion Company.
10993; Hagist Ranch Field, Duval County, Texas; Texas Eastern Transmission Corpo-ration.
11004; Rhodes Field, Barber County, Kansas; Cities Service Gas Company.
11011, 11012; Southeast Houma Field, Ter-rebonne Parish, Louisiana; United Fuel Gas Company.
11013; Northeast Rayne Field, Acadia Par-ish, Louisiana; United Fuel Gas Company.
11027; Houston Field, Morton County, Kansas; Northern Natural Gas Company.
11035; Marrs McLean and Gilbert Woods Field, Jefferson County, Texas; Texas Gas Corporation.
11045; Coffman Lease, Andrews County, Texas; Phillips Petroleum Company.
11058; Unnamed field in Clarion and Jef-ferson Counties, Pennsylvania; United Nat-ural Gas Company.
11072; Prairie Field, Hansford County, Texas; Panhandle Eastern Pipe Line Com-pany.
11074; Big Springs Field, Deuel County, Nebraska; Kansas Nebraska Natural Gas Company, Inc.
11078; Bethany Field, Harrison and Panola Counties, Texas; United Gas Pipe Line Company.
11098; Jalmat Gas Pool, Lea County, New Mexico; El Paso Natural Gas Company.
11100; Tucker Unit, Morton County, Kan-sas; Panhandle Eastern Pipe Line Company.
11122; Laverne Field, Harper County, Okla-homa; Colorado Interstate Gas Company.
11170; Washington District, Calhoun County, West Virginia; Hope Natural Gas Company.
11176; South Blunk Field, Sternberger No. 1 Well, Barber County, Kansas; Cities Service Gas Company.
11177; Willow Springs Field, Gregg County, Texas; Texas Eastern Transmission Corpora-tion.
11187; South Blunk Field, Barber County, Kansas; Cities Service Gas Company.
11191; Hordes Creek Field, Goliad County, Texas; Texas Eastern Transmission Corpora-tion.
11194; Viduari Field, Refugio County, Texas; Tennessee Gas Transmission Com-pany.
11199; Eumont Field, Lea County, New Mexico; Permian Basin Pipe Line Company.
11201; Carthage Field, Panola County, Texas; United Gas Pipe Line Company.
11208; Panhandle Field, Carson County, Texas; Skelly Oil Company.
11209; Cabeza Creek Field, Goliad County, Texas; United Gas Pipe Line Company.
11212; Singley Pool, Meade County, Kansas; Panhandle Eastern Pipe Line Company.

11220; Hidalgo Area, Hidalgo County, Texas; Coastal States Gas Producing Com-pany.
11226; Greenwood Field, Baca County, Colorado; Colorado Interstate Gas Company.
11231; East Maxine Field, Live Oak County, Texas; Texas Illinois Natural Gas Pipe Line Company.
11233; North Maxie Field, Acadia Parish, Louisiana; United Fuel Gas Company.
11238; Keasler Gas Unit, North Lansing Field, Harrison County, Texas; Texas Eastern Transmission Corporation.
11240; Texas "Q" Lease, Univ. Lands, An-drews County, Texas; El Paso Natural Gas Company.
11241; Eumont and Jalmat Gas Pools, Lea County, New Mexico; El Paso Natural Gas Company.
11242; Farnsworth Field, Ochiltree County, Texas; Northern Natural Gas Company.
11250; Matewan Field, Magnolia District, Mingo County, West Virginia; United Fuel Gas Company.
11251; West Sullivan Field, Starr County, Texas; Tennessee Gas Transmission Com-pany.
11255; Government Wells Field, Duval County, Texas; Tennessee Gas Transmission Company.
11256; Murphy District, Ritchie County, West Virginia; Hope Natural Gas Company.
11264; Whiterock Field, Noble County, Ok-la-homa; Cities Service Gas Company.
11273; Jefferson District, Nicholas County, West Virginia; Columbian Carbon Company.
11281; Slab Fork District, Wyoming County, West Virginia; Amere Gas Utilities Corpora-tion.
11282; Unnamed field in Grant County, Oklahoma; Consolidated Gas Utilities Cor-poration.
11292; Unnamed field in Hansford County, Texas; Panhandle Eastern Pipe Line Com-pany.
11297; Fagan Field, Refugio County, Texas; United Gas Pipe Line Company.
11299; Caplen Field, Galveston County, Texas; Texas Gas Pipe Line Corporation.
11370; West Delta Farms Field, La Fourche Parish, Louisiana; Tennessee Gas Transmis-sion Company.
11376; Panhandle Field, Carson County, Texas; Kerr-McGee Oil Industries, Inc.
11379; Fields in Edwards County, Kansas; Northern Natural Gas Company.
11401; Unnamed field (Wesmoreland B-1 Unit), Texas County, Oklahoma; Kansas-Nebraska Natural Gas Company, Inc.
11407; Melrose Field, Goliad County, Texas; United Gas Pipe Line Company.
11408; Greenwood Field (Burkhardt No. 1 Gas Unit), Baca County, Colorado; Colorado Interstate Gas Company.
11410; Maxie Field, Forrest County, Mis-sissippi; United Gas Pipe Line Company.
11412; Hidalgo Field, Hidalgo County, Texas; Coastal States Gas Producing Com-pany.
11413; La Copita Field, Starr County, Texas; Tennessee Gas Transmission Company.
11416, 11417; Southwest District, Doddridge County, West Virginia; Carnegie Natural Gas Company.
11418; Langlie Mattix Field, Lea County, New Mexico; El Paso Natural Gas Company.
11419; Cabeza Creek Area, Goliad County, Texas; United Gas Pipe Line Company.
11421; North Buna Field, Jasper County, Texas; Texas Eastern Transmission Corpora-tion.
11429; East Guthrie Lake Field, Logan County, Oklahoma; Champlin Oil & Refining Company.
11430; Caplen Field Area, Galveston County, Texas; Texas Gas Corporation.
11435; Mary Field, Jim Wells County, Texas; Tennessee Gas Transmission Company.
11436; Mary Field, Jim Wells County, Texas; Transports for account of C. V. Lyman, d. b. a. Lyman-Damascus Operations.

See footnotes on p. 3088.

11437; Mary Field, Jim Wells County, Texas; C. V. Lyman, d. b. a. Lyman-Damascus Operations.

11438; Willow Springs Field, Gregg County, Texas; Arkansas Louisiana Gas Company.

11441; Matewan and Magnolia Districts, Mingo County, West Virginia; United Fuel Gas Company.

11451; Union District, Upshur County, West Virginia; Hope Natural Gas Company.

11452; Acreage in Lafayette District, Pleasant County, West Virginia; Hope Natural Gas Company.

11453; Triadelphia District, Logan County, West Virginia; Hope Natural Gas Company.

11454; Lee District, Calhoun County, West Virginia; Hope Natural Gas Company.

11455; Arkansas City Field, Starr County, Texas; Tennessee Gas Transmission Company.

11461; Langlie-Mattix Field, Lea County, New Mexico; El Paso Natural Gas Company.

11462; Acreage in Buffalo and Henry Districts, in Clay County; Hamilton, Summer-ville and Grant Districts, Nicholas County, West Virginia; Equitable Gas Company.

11463; Unnamed field in Logan County, Colorado; Kansas-Nebraska Natural Gas Company, Inc.

11464; Cotton Valley Field, Weld County, Colorado; Kansas-Nebraska Natural Gas Company, Inc.

11472; Hugoton Field, Texas County, Oklahoma; Panhandle Eastern Pipe Line Company.

11473; Waskom Field, Harrison and Panola Counties, Texas; Texas Eastern Transmission Corporation.

11474; Hugoton Field, Kearny County, Kansas; Cities Service Gas Company.

11479; Langlie-Mattix, House, Eaves, West Dollarhide, Fowler, Eumont and Jalmat Fields, Lea County, New Mexico; El Paso Natural Gas Company.

11482; Carver-Robbins Field, Pratt County, Kansas; Panhandle Eastern Pipe Line Company.

11485; Acreage in Union District, Ritchie County, West Virginia; Equitable Gas Company.

11489; Deckers Prairie Field, Montgomery and Harris Counties, Texas; Tennessee Gas Transmission Company.

11494; Calallen Field, Nueces County, Texas; Tennessee Gas Transmission Company.

11496; Maxie-Pistol Ridge Field, Forrest, Lamar and Pearl River Counties, Mississippi; United Gas Pipe Line Company.

11498; Cotton Valley Field, Weld County, Colorado; Kansas-Nebraska Natural Gas Company, Inc.

11499; Riverton Dome Field, Fremont County, Wyoming; Northern Utilities Company.

11501; Acreage in Sheridan District, Calhoun County, West Virginia; Hope Natural Gas Company.

11502; Acreage in Reedy District, Wirt County, West Virginia; Godfrey L. Cabot, Inc.

11508; Springdale Field, Logan County, Colorado; Kansas-Nebraska Natural Gas Company, Inc.

11509; Acreage in Union District, Ritchie County, West Virginia; Carnegie Natural Gas Company.

11511; Kansas Greenwood Field, Morton County, Kansas; Colorado Interstate Gas Company.

11517; Hugoton Field, Texas County, Oklahoma; Panhandle Eastern Pipe Line Company.

11524; Eumont Field, Lea County, New Mexico; Permian Basin Pipeline Company.

11534; Camrick Southeast Field, Texas and Beaver Counties, Oklahoma; Natural Gas Pipeline Company of America.

11558; Jack Herbert Field, Upton County, Texas; El Paso Natural Gas Company.

These matters should be heard on a consolidated record and disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on May 27, 1957, at 9:30 a. m., e. d. s. t., in a hearing room of the Federal Power Commission, 441 G Street N.W., Washington, D. C., concerning the matters involved in and the issues presented by such applications: *Provided, however, That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure.*

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before May 13, 1957. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made. Under the procedure herein provided for, unless otherwise advised it will be unnecessary for Applicants to appear or be represented at the hearing.

[SEAL]

HENRY R. DOMERS,
Acting Secretary.

¹ Applications in Docket Nos. G-9080 and G-9113 cover two separate ratification agreements of basic contract dated June 11, 1954, between Champlin Refining Company (now Champlin Oil & Refining Company), et al., and Cities Service Gas Company. In each instance, Applicant and Cities Service are both signatory parties to the ratification agreement. Champlin, Operator of the George No. 1 Well in which Applicants each own a working interest, was authorized in Docket No. G-6613 covering basic contract.

² A. W. Cherry is filing for himself and as Agent for J. Blair Cherry and G. W. Hall. Applicants are signatory seller parties to three separate ratification agreements dated December 23, 29, and 30, 1955, respectively, which have also been signed by the purchaser. The application covers three ratification agreements of a basic contract dated November 7, 1955, between The Carter Oil Company and Natural Gas Pipeline Company of America. The Carter Oil Company, Operator, was authorized in Docket No. G-9765 covering basic contract.

³ M. B. Rudman and Rose Rudman, independently and as the independent executrix of the estate of I. Rudman, deceased, are both signatory seller parties to the gas sales contract dated May 1, 1956.

⁴ Warren Petroleum Corporation, Operator, is filing for itself and on behalf of General Gas Corporation who are the only signatory seller parties to the gas sales contract dated July 26, 1956. As Operator, Warren lists the owners of working interests in the Navarre Unit as follows: Warren Petroleum Corporation, Operator, General Gas Corporation, and Sun Oil Company.

⁵ Walter Kuhn, Operator, is filing for himself and on behalf of Asa L. Henson and E. Buddrus and each is a signatory party to its own ratification agreement dated September 14, April 6, and September 14, 1956, respectively, of a basic contract dated February 9,

1955, between Northern Natural Gas Company (Buyer) and The Texas Company (Seller). The Texas Company was authorized in Docket No. G-8609 to sell gas under the basic contract.

⁶ Clegg and Hunt, Operator, is filing for itself and on behalf of 17 nonoperating owners of working interests listed in the application. With the exception of Robert F. Ball and the Standard Oil Company of Texas, all are signatory seller parties to the gas sales contract dated August 13, 1956. Also, there are five signatory seller parties to the contract who are not listed in the application as owners of working interests.

⁷ J. P. Neill is filing for himself and on behalf of George H. Marsh. Both are signatory seller parties to the gas sales contract dated June 23, 1956.

⁸ Barnwell Production Company, Operator, is filing for itself and on behalf of numerous operators. Application lists nonoperators and the percentage of interest of each (including Operator's) in the Barker-Lentz Unit, Newson Unit No. 1, and the Richard Blick Unit No. 1. Barnwell is a partnership composed of R. S. Barnwell, Sr., and R. S. Barnwell, Jr., who are the only signatory seller parties to the gas sales contract involved herein.

⁹ City Products Corporation, Leo T. Crowley, L. L. McCoy and R. C. Muckerman are filing individually and all are signatory seller parties to the gas sales contract involved herein.

¹⁰ H. L. Brown, Operator, is filing for himself and the nonoperators, W. R. Wheeler and Albert Plummer. All are signatory seller parties to the gas sales contract involved herein covering production from the Kauffman "A" and "C" Leases.

¹¹ Shore Exploration Company, Holly Development Company, Field Drilling Company, W. Earl Rowe, P. G. Northrup, Field M. Davis, and Joe W. Bates are filing for their individual interests in the J. F. Welder Heirs Lease. All are signatory seller parties to the gas sales contract dated March 7, 1956.

¹² Original application filed by Stanolind Oil and Gas Company. Effective February 1, 1957, Stanolind changed its name to Pan American Petroleum Corporation.

¹³ Genevieve Tarlton Dougherty, Dudley T. Dougherty, Mae Dougherty Carr, Raphael Dougherty Vaughan, and Ben F. Vaughan, Jr., Operators, are filing for themselves and on behalf of Edinburg Improvement Association, the only nonoperator. All are signatory seller parties to the Gas Sales Contract involved herein.

¹⁴ Supplement to application in Docket No. G-11240 which was filed on November 8, 1956, amends application by adding additional acreage which is dedicated to the basic contract dated September 27, 1956, by a supplemental agreement dated October 22, 1956.

¹⁵ Original application filed by Stanolind Oil and Gas Company. Effective February 1, 1957, Stanolind changed its name to Pan American Petroleum Corporation. Pan American, Operator of the H. O. Duty Gas Unit is filing for itself and on behalf of the nonoperator, Midstates Oil Corporation. Both are signatory seller parties to the gas sales contract involved herein.

¹⁶ Forest Oil Corporation, Operator, is filing for itself and on behalf of the following nonoperating owners of working interests: Signal Oil & Gas Company, Hancock Exploration Company, Rockefeller Brothers, Inc., Joseph P. Kennedy, and Astor & Company. All are signatory seller parties to the gas sales contract dated July 10, 1956.

¹⁷ Tom Cook, Jr., Operator, is filing for himself and on behalf of the following nonoperating owners of working interests: Tom Cook, Jr., John C. Whitaker, Emmett Johnson, Charles W. Lutes, W. A. Hewell, and United Drilling Company. The remainder of

the working interest is owned by The Atlantic Refining Company, which company is not covered by the application in Docket No. G-11238. Tom Cook, Jr., John C. Whitaker, Charles W. Lutes, Fred Deutsch, H. J. Bissell, Emmett Johnson, and W. A. Hewell are signatory seller parties to the gas sales contract dated September 24, 1956, involved herein.

³² J. Frank Brown, Operator, is filing for himself and lists in the application numerous nonoperators together with the percentage of working interest of each. J. Frank Brown is the only signatory seller party to the gas sales contract dated April 4, 1956.

³³ Russell Maguire, Operator, is filing for himself and lists nonoperators as follows: Russell Maguire, Operator, Alco Valve Company and George Stimmel. All are signatory seller parties to the gas sales contract dated September 13, 1956.

³⁴ Paul Shaffer, Operator, is filing for himself and lists numerous nonoperators. All are signatory seller parties to the amendment agreement dated July 26, 1956, which adds additional acreage to a basic contract dated November 15, 1955. Paul Shaffer, Operator, was authorized in Docket No. G-9859 covering basic contract.

³⁵ John H. Grimm, Operator, is filing for himself and on behalf of the following nonoperators: Homer R. Wharton, Foster Estes, Charles Turner, Emma R. Turner, V. B. Likins, and Clement L. Hirsch. All are signatory seller parties to the gas sales contract dated September 26, 1956.

³⁶ James Doughty, Operator, is filing for himself and on behalf of the following nonoperators: J. M. Frost, Jr., V. W. Frost, C. M. Frost, and Mrs. Elaine S. White. All are signatory seller parties to the amendment agreement dated August 20, 1956, which adds additional acreage to the basic contract dated October 7, 1949, as amended and ratified between James Doughty and Buyer. Applicant authorized in Docket No. G-7997 covering basic contract.

³⁷ The Atlantic Refining Company, Operator, is filing for itself and on behalf of the nonoperator, Rycade Oil Corporation. Both are signatory seller parties to the gas sales contract dated July 1, 1949. The application states that prior to June 7, 1954, service had ceased from subject acreage and the well had been abandoned. New drilling operations resulted in a well completed in October 1956, production from which is to be sold under the contract dated July 1, 1949.

³⁸ Ethel May Neel Lewis and Helen C. Parks, individually and as guardians of H. Guinn Lewis III, Jack William Lewis, and Ann Lewis, are filing for their interests in the S. E.-23 and S. E.-13 Units of the Maxie Field. Both are signatory seller parties to the gas sales contract dated September 25, 1956.

³⁹ Nortex Oil and Gas Corporation, Operator, is filing for itself and 51 nonoperating owners of working interests whose names together with the percentage of interest of each is listed in the supplement to the application filed November 26, 1956. Nortex and five of the nonoperators are signatory seller parties to the gas sales contract dated October 1, 1956.

⁴⁰ Hurt Oil Company, Ltd., Operator, is filing for itself and on behalf of the following nonoperators: Ada Oil Company, Trans-Tex Drilling Company, Riddell Petroleum Corporation, Robert L. Stott, Giorgio Uzielli, G. Peter Fleck, Jesse B. Spiller, Virginia C. Dick, and Edward H. Green, Executors and Trustees under will of William K. Dick, deceased. All are signatory seller parties to the gas sales contract dated August 7, 1956.

⁴¹ Christie, Mitchell and Mitchell is filing for itself and as Agent for A. W. Bloom, John Dakmak, Sam Fenberg, Johnny Mitchell, Trustee, Oil Drilling, Inc., Oil Operations, Inc., Dean M. Meyers, Mrs. Ruth Freed Pulaski, Executrix of Estate of E. J. Pulaski,

Rheba Joan Bregman, Louis Pulaski, Morris Rauch, Max Waterman, and William N. Zinn. All are signatory seller parties to the gas sales contract dated October 13, 1956.

⁴² Flournoy Drilling Company, Operator, is filing for itself and on behalf of the following nonoperators: Robert D. Dunn, Carmel F. Davis, Harvey Hans, and Frank M. Bowman. All are signatory seller parties to the gas sales contract dated July 17, 1956.

⁴³ Sam Sklar, Trustee, Operator, is filing for his interest and the interests of numerous nonoperators listed in the application, in two wells. Sklar, Southern Production Company, Inc., S. H. Killingsworth, and N. E. Loomis are the only signatory seller parties to both the basic gas sales contract and the amendment agreement dated December 28, 1955, involved herein.

⁴⁴ J. Frank Brown, Operator, is filing for himself and lists 26 nonoperating owners of working interests together with the percentage of interest of each. J. Frank Brown is the only signatory seller party to the gas sales contract dated September 12, 1956.

⁴⁵ Halbert, Jennings, and Simic, Operator, is filing for itself and on behalf of 14 nonoperators listed in the application. All are signatory seller parties to the gas sales contract dated October 18, 1956.

⁴⁶ Halbert, Jennings, and Simic, Operator, is filing for itself and on behalf of 10 nonoperators listed in the application. All are signatory seller parties to the gas sales contract dated October 15, 1956.

⁴⁷ This application covers the proposed sale of natural gas by Bert Fields under his new basic contract dated July 16, 1956, which has been ratified by Alyne Fields Trust and Tex-Mex Drilling Company (agreement dated September 6, 1956) and by L. D. Brown (agreement dated October 10, 1956). In addition to the above-mentioned parties, purchaser has also signed both ratification agreements. Application also lists three additional owners of working interests who are not covered by the subject filing.

⁴⁸ Applicant, Lease Operator, is filing for its 50% interest in 320 acres and is a signatory party to the gas sales contract dated August 30, 1956. Applicant lists M. B. Armer as nonoperator and owner of the remaining 50% working interest.

⁴⁹ Frank Zickefoose is a signatory seller party to the gas sales contract involved herein. Applicant has signed the subject contract for himself and as Agent and Attorney-in-Fact for A. C. Woodford. W. D. Burgess and Jessie Burgess are also signatory seller parties to the subject contract.

⁵⁰ Rock Hill Oil Company, Operator, is filing for itself and on behalf of co-owners as follows: Rock Hill, W. Earl Rowe, Harvey Whitaker, Toklan Oil Corporation, Toklan Oil Corporation (Unleased), and J. G. Catlett Company (Unleased). Rock Hill and W. Earl Rowe are the only signatory seller parties to the gas sales contract involved herein.

⁵¹ Halbert, Jennings and Simic, Operator, is filing for itself and on behalf of the following nonoperators: Phillip Braunstein, Herbert Chernin, Yvonne Famel, Leo Fisher, R. B. Potashnick, Don M. Rounds, W. T. Woodson, Leo F. McCue, Paul Douglas, and Virginia B. Davis. All are signatory seller parties to the casinghead gas sales contract dated October 15, 1956.

⁵² "Et al." not identified.

⁵³ Signatory seller parties to the sales contract and amendment are partners in Greenbrier Oil Company and are listed as: William Hamm, Jr., De Walt H. Ankeny, Marie H. Ankeny, James E. Kelley, Margaret H. Kelley, William H. Lang, Joseph A. Maun, and Theodora Lang.

[F. R. Doc. 57-3528; Filed, Apr. 30, 1957; 8:49 a.m.]

[Docket No. G-10934 etc.]

CITIES SERVICE GAS CO. ET AL.

NOTICE OF APPLICATION AND DATE OF HEARING

APRIL 25, 1957.

In the matters of Cities Service Gas Company, Docket No. G-10934; Champlin Refining Company, Docket No. G-10665; Wilcox Oil Company, Docket No. G-10670; Viersen & Cochran, et al., Docket No. G-10690; Woods Petroleum Corporation, Docket No. G-10692; Calvert Drilling, Inc., Operator, Docket No. G-10694; Sunray Mid-Continent Oil Co., Docket No. G-10706; I. J. Newlin, Operator, Docket No. G-10748; Powel Briscoe, Operator, Docket No. G-10754; Barrett Petroleum Company, Operator, Docket No. G-10843.

Take notice that Cities Service Gas Company (Cities Service), a Delaware corporation with a principal place of business at Oklahoma City, Oklahoma, filed on August 17, 1956, an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing Cities Service to construct and operate facilities, as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the application which is on file with the Commission and open for public inspection. The facilities are described as follows:

(a) A pipe line system comprising 1.7 miles of 10-inch, 1.84 miles of 8-inch, 2.3 miles of 6-inch, and 11.35 miles of 4-inch pipe, beginning at Applicant's Straight-Blackwell 26-inch pipe line in the NW $\frac{1}{4}$ Section 4—T. 27 N.—R. 5 W. and extending northerly to existing and proposed gas wells located in Sections 19, 20, 21, 22, 25, 26, 27, 28, 29 and 30—T. 28 N.—R. 5 W., Grant County, Oklahoma.

(b) A pipe line system comprising 2.65 miles of 10-inch, 1.09 miles of 8-inch, 2.10 miles of 6-inch, and 10.47 miles of 4-inch pipe, beginning at Applicant's Straight-Blackwell 26-inch pipe line in the SW $\frac{1}{4}$ Section 35—T. 28 N.—R. 6 W., and extending northerly to existing and proposed gas wells located in Sections 17, 20, 21, 22, 23, 24, 25, 26, 27 and 28—T. 28 N.—R. 6 W., Grant County, Oklahoma.

(c) A pipe line system comprising 0.45 miles of 6-inch and 2.65 miles of 4-inch pipe, beginning at Applicant's Straight-Blackwell 26-inch pipe line in the NE $\frac{1}{4}$ Section 33—T. 28 N.—R. 7 W., and extending southerly to existing and proposed gas wells in Sections 32, 33 and 34—T. 28 N.—R. 7 W., Grant County, Oklahoma.

(d) A pipe line system comprising 2.48 miles of 12-inch, 1.41 miles of 8-inch, 2.63 miles of 6-inch, and 10.18 miles of 4-inch pipe, beginning at Applicant's Straight-Blackwell 26-inch pipe line in the NW $\frac{1}{4}$ Section 32—T. 28 N.—R. 7 W. and extending northerly to existing and proposed gas wells located in Sections 11, 12, 13, and 14—T. 28 N.—R. 8 W., and Sections 7, 15, 16, 17, 18, 19, 20, 21 and 22—T. 28 N.—R. 7 W., Grant County, Oklahoma.

(e) A pipe line system comprising 3.35 miles of 10-inch 0.55 mile of 6-inch and 2.37 miles of 4-inch pipe, beginning at Applicant's Straight-Blackwell 26-inch pipe line in the NE $\frac{1}{4}$ Section 36—T. 28 N.—R. 9 W., Alfalfa County, Oklahoma, and extending northerly to existing and proposed gas wells located in Sections 12 and 13—T. 28 N.—R. 9 W., Alfalfa County, and Sections 7 and

18—T. 28 N.—R. 8 W., Grant County, Oklahoma.

Cities Service proposes by means of the facilities to be constructed and operated to provide an additional supply of gas for its system from the Eureka area located in Grant and Alfalfa Counties, Oklahoma. The estimated cost of the facilities is \$1,288,600, and will be paid for out of treasury cash.

Champlin Refining Company (Champlin) a New Mexico corporation with its principal place of business at 5301 Camp Bowie Boulevard, Fort Worth, Texas, filed on June 28, 1956, an application in Docket No. G-10665, pursuant to section 7 of the Natural Gas Act, authorizing Champlin to sell natural gas produced in the Eureka Field, Grant and Alfalfa Counties, Oklahoma, in interstate commerce to Cities Service for resale, subject to the jurisdiction of the Commission.

Wilcox Oil Company (Wilcox), a Delaware corporation with its principal place of business in Tulsa, Oklahoma, filed on June 29, 1956, an application in Docket No. G-10670, pursuant to section 7 of the Natural Gas Act, authorizing Wilcox to sell natural gas produced in the Eureka Field, Grant and Alfalfa Counties, Oklahoma, in interstate commerce to Cities Service for resale, subject to the jurisdiction of the Commission.

Viersen & Cochran, a partnership composed of Sam K. Viersen and Sam K. Viersen, Jr., for themselves and as operator for and on behalf of Coletta Butler, Executrix of the Estate of Almand D. Cochran, deceased, filed on July 2, 1956, an application in Docket No. G-10690, pursuant to section 7 of the Natural Gas Act, authorizing Viersen & Cochran to sell natural gas produced in the Eureka Field, Grant and Alfalfa Counties, Oklahoma, in interstate commerce to Cities Service for resale, subject to the jurisdiction of the Commission.

Woods Petroleum Corporation (Woods), a Delaware corporation with a principal place of business in Oklahoma City, Oklahoma, filed on July 2, 1956, an application in Docket No. G-10692, pursuant to section 7 of the Natural Gas Act, authorizing Woods as owner, and operator for D. W. Rentzel, R. C. Cunningham and Margaret Cunningham to sell natural gas produced in the Eureka Field, Grant and Alfalfa Counties, Oklahoma, in interstate commerce to Cities Service for resale, subject to the jurisdiction of the Commission.

Calvert Drilling, Inc. (Calvert), an Illinois corporation with a principal place of business in Olney, Illinois, filed on July 2, 1956, an application in Docket No. G-10694, pursuant to section 7 of the Natural Gas Act, authorizing Calvert, as owner, and as operator of interests of Woods Petroleum Corporation, Carlock, Inc., Zephyr Drilling Corporation, F. A. Calvert, Jr. and Horace K. Calvert to sell natural gas produced in the Eureka Field, Grant and Alfalfa Counties, Oklahoma, in interstate commerce to Cities Service for resale, subject to the jurisdiction of the Commission.

Sunray Mid-Continent Oil Company (Sunray), a Delaware corporation with a principal place of business in Tulsa, Oklahoma, filed on July 2, 1956, an application in Docket No. G-10706, pursuant to section 7 of the Natural Gas Act, authorizing Sunray to sell natural gas, produced in the Eureka Field, Grant and Alfalfa Counties, Oklahoma, in interstate commerce to Cities Service for resale, subject to the jurisdiction of the Commission.

I. J. Newlin, Operator, an independent producer with a principal place of business in Shawnee, Oklahoma, filed on July 13, 1956, an application in Docket No. G-10748, pursuant to section 7 of the Natural Gas Act, authorizing I. J. Newlin to sell natural gas produced in the Eureka Field, Grant and Alfalfa Counties, Oklahoma, in interstate commerce to Cities Service for resale, subject to the jurisdiction of the Commission.

Powel Briscoe (Briscoe), individually and as operator for E. F. Briscoe and City Products Corporation, with a principal place of business in Oklahoma City, Oklahoma, filed on July 16, 1956, an application in Docket No. G-10754, pursuant to section 7 of the Natural Gas Act, authorizing Briscoe to sell natural gas produced in the Eureka Field, Grant and Alfalfa Counties, Oklahoma, in interstate commerce to Cities Service for resale, subject to the jurisdiction of the Commission.

Barrett Petroleum Company (Barrett), an Oklahoma Corporation for itself and as operator for Kay County Gas Company with its principal place of business in Shawnee, Oklahoma, filed on August 1, 1956, an application in Docket No. G-10843, pursuant to section 7 of the Natural Gas Act authorizing Barrett to sell natural gas produced in the southwest Wakita Field, in the Eureka Area, Grant County, Oklahoma in interstate commerce to Cities Service for resale subject to the jurisdiction of the Commission.

These related matters should be heard on a consolidated record and disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on June 12, 1957, at 9:30 a. m., e. d. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C. concerning the matters involved in and the issues presented by such application:

Provided, however, That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission.

Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before May 20, 1957. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL]

HENRY R. DOMERS,
Acting Secretary.

[F. R. Doc. 57-3529; Filed, Apr. 30, 1957;
8:50 a. m.]

[Docket No. E-6744]

HOLYOKE WATER POWER CO.

NOTICE OF APPLICATION

APRIL 25, 1957.

Take notice that on April 18, 1957, an application was filed with the Federal Power Commission pursuant to section 204 of the Federal Power Act by Holyoke Water Power Company (hereinafter called "Applicant"), a corporation organized under the laws of the Commonwealth of Massachusetts and doing business in said State with its principal business office at Holyoke, Massachusetts, seeking an order authorizing the issuance of \$37,400,000 principal amount of First Mortgage Bonds 5 percent Series due 1990. Applicant requests exemption from the competitive bidding requirements of the Commission's regulations. Applicant proposes to issue and sell the proposed bonds at 100 percent of principal amount to the insurance companies in the amounts indicated below:

Aetna Life Insurance Company, \$6,700,000; Connecticut General Life Insurance Company, \$4,500,000; Massachusetts Mutual Life Insurance Company, \$4,500,000; New England Mutual Life Insurance Company, \$4,500,000; Phoenix Mutual Life Insurance Company, \$4,000,000; Connecticut Mutual Life Insurance Company, \$3,800,000; State Mutual Life Assurance Company, \$1,400,000; Guardian Life Insurance Company, \$1,000,000; Home Life Insurance Company, \$1,000,000; National Life Insurance Company, \$1,000,000; Teachers Insurance and Annuity Association, \$1,000,000; Berkshire Life Insurance Company, \$600,000; Boston Mutual Life Insurance Company, \$250,000; Monarch Life Insurance Company, \$250,000; Phoenix Insurance Company, \$100,000.

The bonds are proposed to be issued to finance the construction of a steam, electric generating plant with a turbo-generator having a name plate rating of 125,000 kw, and other necessary related facilities, to be located at Applicant's Mt. Tom site on the northerly boundary of Holyoke, Massachusetts. Part of the proceeds from the sale of the proposed bonds will be used to refund outstanding indebtedness of the Applicant.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the 17th day of May 1957, file with the Federal Power Commission, Washington 25, D. C., petitions or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). The application is on file

with the Commission available for public inspection.

[SEAL]

HARRY R. DOMERS,
Acting Secretary.

[F. R. Doc. 57-3530; Filed, Apr. 30, 1957;
8:50 a. m.]

INTERSTATE COMMERCE COMMISSION

[Notice 162]

MOTOR CARRIER APPLICATIONS

APRIL 26, 1957.

The following applications are governed by the Interstate Commerce Commission's special rules governing notice of filing of applications by motor carriers of property or passengers and by brokers under sections 206, 209, and 211 of the Interstate Commerce Act and certain other procedural matters with respect thereto. (FEDERAL REGISTER, Volume 21, pages 7339, 7340, § 1.241, September 26, 1956.)

All hearings will be called at 9:30 o'clock a. m., United States Standard Time (or 9:30 o'clock a. m., Local Daylight Saving Time, if that time is observed), unless otherwise specified.

APPLICATIONS ASSIGNED FOR ORAL HEARING OR PRE-HEARING CONFERENCE

MOTOR CARRIERS OF PROPERTY

No. MC 504 (Sub No. 25), filed April 15, 1957, HARPER MOTOR LINES, INC., 132 Railroad Street, Elberton, Ga. Applicant's attorney: Reuben G. Crimm, 805 Peachtree Street Building, Atlanta 8, Ga. For authority to operate as a common carrier, over irregular routes, transporting: *Dairy products*, as defined by the Commission, from points in Wisconsin to points in North Carolina and South Carolina.

NOTE: The purpose of this application is to eliminate Birmingham, Ala., as a gateway; applicant is authorized to transport dairy products from and to the above-specified territory via Birmingham as a gateway. No new commodity, territory, nor duplicating authority is sought.

HEARING: June 6, 1957, in Room 852, U. S. Custom House, 610 South Canal Street, Chicago, Ill., before Examiner Leo A. Riegel.

No. MC 504 (Sub No. 26), filed April 15, 1957, HARPER MOTOR LINES, INC., 132 Railroad Street, Elberton, Ga. Applicant's attorney: Reuben G. Crimm, 805 Peachtree Street Building, Atlanta 8, Ga. For authority to operate as a common carrier, over irregular routes, transporting: *Dairy products*, as defined by the Commission, from points in Wisconsin to points in Georgia and Florida.

NOTE: The purpose of this application is to eliminate Birmingham, Ala., as a gateway; applicant is authorized to transport dairy products from and to the above-specified territory via Birmingham as a gateway. No new commodity, territory, nor duplicating authority is sought.

HEARING: June 6, 1957, in Room 852, U. S. Custom House, 610 South Canal Street, Chicago, Ill., before Examiner Leo A. Riegel.

No. MC 730 (Sub No. 97), filed April 22, 1957, PACIFIC INTERMOUNTAIN EXPRESS CO., 299 Adeline Street, Oakland, Calif. For authority to operate as a common carrier, over regular routes, transporting: *Government-owned compressed gas trailers*, loaded with other than liquefied petroleum gas, or empty, between all points and over the routes which applicant is certificated for the transportation of general commodities in MC 730, MC 56793, and sub numbers thereunder, and subject to the same restrictions in said certificates. Applicant is authorized to transport general commodities in Oregon, Washington, California, Nevada, Montana, Utah, Wyoming, Colorado, Nebraska, Missouri, Illinois, Indiana, and Idaho.

HEARING: May 21, 1957, at the New Customs House, Denver, Colo., before Examiner Leo W. Cunningham.

No. MC 1485 (Sub No. 2), filed March 15, 1957, FRANK C. SCHROLL, doing business as SCHROLL TRANSPORTATION COMPANY, 5 Church Place, Wethersfield, Conn. Applicant's attorney: Hugh M. Joseloff, 410 Asylum Street, Hartford 3, Conn. For authority to operate as a common carrier, over irregular routes, transporting: *Meats, packing-house products and commodities used by packing-houses* as defined by the Commission in Ex Parte No. MC 45 (61 MCC 209), and frozen fish and frozen foods, and exempt fish, frozen fish and frozen foods when transported with non-exempt commodities, in refrigerated equipment, from Boston, Mass., and points within 5 miles of Boston, to Bristol, Meriden, Torrington and Waterbury, Conn.; and from East Hartford, Conn., to Springfield, Holyoke, Chicopee, Pittsfield, Worcester, Greenfield, Fall River, and Northampton, Mass., and Providence and Westerly, R. I.; and empty containers or other such incidental facilities (not specified), used in transporting the commodities specified, on return movements. Applicant is authorized to transport similar commodities in Connecticut and Massachusetts.

HEARING: June 14, 1957, at the New Post Office and Court House Building, Boston, Mass., before Joint Board No. 134, or, if the Joint Board waives its right to participate, before Examiner Allen W. Hagerty.

No. MC 7746 (Sub No. 86), filed March 12, 1957, UNITED TRUCK LINES, INC., East 915 Springfield Avenue, Spokane 2, Wash. For authority to operate as a common carrier, over regular routes, transporting: *General commodities*, except those of unusual value, and except Class A and B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment, between Caldwell, Idaho, and Pasco, Wash., from Caldwell over U. S. Highway 30, through New Plymouth, Idaho, Ontario, Baker and La Grande, Oreg., to Pendleton, Oreg., thence over U. S. Highway 395 through Holdman and Cold Springs, Oreg., and Wallula, Wash., to Pasco, Wash., and return over the same route, serving no intermediate points, as an alternate route for operating convenience only, in connection with applicant's authorized

regular route operations (1) between Portland, Oreg., and Spokane, Wash., (2) between Portland, Oreg., and Pasco, Wash., and (3) between Spokane, Wash., and Boise, Idaho. RESTRICTION: Applied-for authority to be restricted to traffic moving from, to, or through Seattle, Wash., and also restricted to traffic originating at or destined to points west of Yakima, Wash., on or north of U. S. Highway 410. Applicant is authorized to transport similar commodities in Idaho, Montana, Oregon, and Washington.

HEARING: June 25, 1957, in Room 400, U. S. Court House, Fifth and Madison Streets; Seattle, Wash., before Joint Board No. 81.

No. MC 7746 (Sub No. 87), filed April 3, 1957, UNITED TRUCK LINES, INC., East 915 Springfield Avenue, Spokane 2, Wash. For authority to operate as a common carrier, over regular routes, transporting: *General commodities*, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, between Spokane, Wash., and Ford, Wash., and points within five (5) miles of Ford, including the Spokane Indian Reservation, located north and west of Ford, (a) from Spokane over U. S. Highway 195 to junction U. S. Highway 395, thence over U. S. Highway 395 to Springdale, Wash., thence over Washington Highway 3-J to Ford, and return over the same route, serving no intermediate points on the highways specified, but serving points within five (5) miles of Ford, Wash., and the Spokane Indian Reservation as off-route points, and (b) from Spokane over U. S. Highway 2 to Reardan, Wash., thence over unnumbered highway to junction Washington Highway 3-J, thence over Washington Highway 3-J to Ford, and return over the same route, serving no intermediate points, but serving points within five (5) miles of Ford, Wash., and the Spokane Indian Reservation as off-route points. Applicant is authorized to transport similar commodities in Idaho, Montana, Oregon, and Washington.

HEARING: June 18, 1957, at the Davenport Hotel, Spokane, Wash., before Joint Board No. 80.

No. MC 8948 (Sub No. 37), filed January 14, 1957, WESTERN TRUCK LINES, LTD., 2835 Santa Fe Avenue, Los Angeles 58, Calif. Applicant's representative: Lloyd R. Guerra, P. O. Box 58274, Vernon Branch, Los Angeles 38, Calif. For authority to operate as a common carrier, transporting: *Acids and chemicals*, including Acid (Phosphoric), Borax (Sodium borate), bromine, bromine salts, calcium or lime salts, lime, common including magnesium lime, hydrated or hydraulic, quick or slaked, Magnesium lime, monohydrate or sesqui carbonate, nitrate of soda—potash, potassium (Potash): bicarbonate, borate, bromide, carbonate (Pearlash), caustic, chlorate, nitrate, perchlorate, phosphate, potassium salts, sulphate, xanthate, salt cake (crude sulphate of soda), sal-soda, soda or sodium salts, soda ash, including modified soda ash, sodium bi-carbonate, sodium car-

bonate, sodium; caustic (sodium hydroxide), sodium chlorate, sodium chloride (common salt), sodium nitrate, sodium phosphate, and lithium, serving to and from Trona and Westend, Calif., and points within 10 miles of each, as off-route points in connection with applicant's regular route general-commodity operations over U. S. Highways 6 and 395. Applicant is authorized to conduct similar operations in Arizona, California, Nevada, New Mexico, and Texas.

HEARING: June 4, 1957, at the Federal Building, Los Angeles, Calif., before Joint Board No. 75, or, if the Joint Board waives its right to participate, before Examiner F. Roy Linn.

No. MC 20793 (Sub No. 27), filed March 22, 1957, **WAGNER TRUCKING CO., INC.**, Jobstown, N. J. Applicant's representative: G. Donald Bullock, P. O. Box 146, Wyncote, Pa. For authority to operate as a *common carrier*, over irregular routes, transporting: *Brick*, from Baltimore, Md., and points in Baltimore County, Md., to points in Delaware and points in Pennsylvania on and east of U. S. Highway 15. Applicant is authorized to transport similar commodities in New Jersey, Delaware, Maryland, Virginia, Connecticut, Maine, Vermont, New Hampshire, Massachusetts, Rhode Island, Ohio, Pennsylvania, New York, and the District of Columbia.

HEARING: June 4, 1957, at the Penn Sherwood Hotel, 3900 Chestnut Street, Philadelphia, Pa., before Joint Board No. 199, or, if the Joint Board waives its right to participate, before Examiner Charles H. Riegner.

No. MC 20793 (Sub No. 28), filed April 11, 1957, **WAGNER TRUCKING CO., INC.**, Jobstown, N. J. Applicant's representative: G. Donald Bullock, Box 146, Wyncote, Pa. For authority to operate as a *common carrier*, over irregular routes, transporting: *Brick* from Lancaster, Pa., to points in Delaware, Maryland and the District of Columbia, and from Richland Township (Bucks County), Pa., to points in New Jersey on and north of New Jersey Highway 33, points in Orange and Rockland Counties, N. Y., points in New York on and east of U. S. Highway 9-W and on and south of U. S. Highway 20, including New York, N. Y., and points on Long Island, N. Y. Applicant is authorized to transport brick to and from specified points in New Jersey, Delaware, Maryland, Virginia, Connecticut, Maine, Vermont, New Hampshire, Massachusetts, Rhode Island, Ohio, Pennsylvania, New York, and the District of Columbia. Any duplication of authority should be eliminated.

HEARING: June 4, 1957, at the Penn Sherwood Hotel, 3900 Chestnut Street, Philadelphia, Pa., before Examiner Charles H. Riegner.

No. MC 25199 (Sub No. 1), filed April 8, 1957, **BEN R. KOLINSKY AND HYMAN S. SCHER**, doing business as **SANFORD MOVING & STORAGE COMPANY**, 1965 Jerome Avenue, New York 53, N. Y. Applicant's attorney: David Brodsky, 1776 Broadway, New York 19, N. Y. For authority to operate as a *common carrier*, over irregular routes, transporting: *Household*

goods, as defined by the Commission, between New York, N. Y., on the one hand, and, on the other, points in Maryland, Massachusetts, New York, Rhode Island, and the District of Columbia. Applicant is authorized to transport similar commodities in Connecticut, New Jersey, New York, and Pennsylvania.

HEARING: June 6, 1957, at 346 Broadway, New York, N. Y., before Examiner Allen W. Hagerty.

No. MC 26771 (Sub No. 12), filed April 2, 1957, **NESTOR BROS., INC.**, 8 Loder Avenue, Endicott, N. Y. Applicant's attorney: Glenn F. Morgan, 1006-1008 Warner Building, Washington 4, D. C. For authority to operate as a *common carrier*, transporting: *General commodities*, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, serving Ulster, N. Y., as an off-route point in connection with applicant's authorized regular route operations between Binghamton, N. Y., and the New Jersey-New York State line over New York Highway 17, which is a portion of the regular route operations between Binghamton, N. Y., and New York, N. Y. Applicant is authorized to conduct regular route operations in New Jersey, New York, and Pennsylvania, and irregular route operations in New Jersey and New York.

HEARING: June 5, 1957, at 346 Broadway, New York, N. Y., before Examiner Allen W. Hagerty.

No. MC 26907 (Sub No. 13), filed April 5, 1957, **RIPON TRUCKING CO.**, a Corporation, Oshkosh Street, Ripon, Wis. Applicant's attorney: Edward Solie, 715 First National Bank Building, Madison 3, Wis. For authority to operate as a *contract carrier*, over irregular routes, transporting: *Flour*, from Mount Olive, Ill., to Ripon, Wis. Applicant is authorized to transport specified commodities in Minnesota, Illinois, Wisconsin, Missouri, Indiana, Iowa, Michigan, Ohio, South Dakota, Nebraska, Kentucky, Tennessee, and Sharpsburg, Pa.

HEARING: June 13, 1957, at the Wisconsin Public Service Commission, Madison, Wis., before Joint Board No. 13, or, if the Joint Board waives its right to participate, before Examiner Leo A. Riegel.

No. MC 29886 (Sub No. 101), filed April 17, 1957, **DALLAS & MAVIS FORWARDING CO., INC.**, 4000 West Sample Street, South Bend 21, Ind. Applicant's attorney: Charles Pieroni, 523 Johnson Building, Muncie, Ind. For authority to operate as a *common carrier*, over irregular routes, transporting: *Warehouse and platform trucks and tractors, lift trucks, and straddle trucks*, from Dallas, Ore. to points in the United States. Applicant is authorized to conduct operations throughout the United States.

HEARING: June 11, 1957, at the Offices of the Interstate Commerce Commission, Washington, D. C., before Examiner Isadore Freidson.

No. MC 34865 (Sub No. 32), filed April 12, 1957, **CONTRACT CARRIERS, INC.**, 2425 Walton Street, Anderson, Ind. Applicant's attorney: Robert C. Smith, 512 Illinois Building, Indianapolis 4, Ind. For

authority to operate as a *contract carrier*, over irregular routes, transporting: (1) *Iron and steel articles*, such as bars; bars, reinforcement, with or without accompanying bar chairs; bar spacers; bar ties; bar supports; clips; screed chairs; stirrups; tie chairs or bar chairs and spacers combined; (2) *cloth or fabric*, less than 1/2 inch mesh or 1/2 inch mesh or over; and (3) *mesh*, bar or wire, concrete or plaster reinforcement, from Kokomo, Ind., to points in Illinois and Ohio, points in that part of Iowa on and east of U. S. Highway 69, and those in that part of Michigan on and south of Michigan Highway 46, and empty containers or other such incidental facilities (not specified) used in transporting the commodities specified in this application, and damaged, rejected, or unclaimed shipments of the commodities listed above, from the above destination points to Kokomo, Ind.

HEARING: June 3, 1957, at the U. S. Court Rooms, Indianapolis, Ind., before Examiner Leo A. Riegel.

No. MC 35624 (Sub No. 13), filed April 3, 1957, **DEAN S. AXTELL**, 2000 Southwest "G" Street, Grants Pass, Ore. Applicant's representative: I. R. Perry, P. O. Box 594, Grants Pass, Ore. For authority to operate as a *common carrier*, over irregular routes, transporting: *Lumber*, (1) from points in Jackson and Josephine Counties, Ore., to points in Alameda, Alpine, Calaveras, Colusa, Contra Costa, Inyo, Kern, Kings, Lassen, Los Angeles, Madera, Marin, Mariposa, Merced, Modoc, Mono, Monterey, Nevada, Orange, Placer, Plumas, Riverside, Sacramento, San Bernardino, San Francisco, San Luis Obispo, San Mateo, Santa Barbara, Santa Clara, Santa Cruz, Sierra, Solano, Stanislaus, Sutter, Tulare, Ventura, Yolo, Yuba, San Diego and Imperial Counties, Calif., and points in Nevada; (2) from points in Douglas and Lane Counties, Ore., to points in California and Nevada. Applicant is authorized to transport similar commodities in California, Nevada, and Oregon.

HEARING: July 8, 1957, at the Federal Building, Medford, Ore., before Joint Board No. 151.

No. MC 40007 (Sub No. 50), filed April 12, 1957, **RELIABLE TRANSPORTATION COMPANY**, a corporation, 4817 Sheila Street, Los Angeles 22, Calif. For authority to operate as a *common carrier*, over irregular routes, transporting: *Sulphuric acid, off-color sulphuric acid, and impure sulphuric acid*, in bulk, in tank vehicles, from El Segundo, Calif., to Miami, Ariz.; and contaminated shipments of sulphuric acid from Miami, Ariz., to El Segundo, Calif.

HEARING: June 11, 1957, at the Arizona Corporation Commission, Phoenix, Ariz., before Joint Board No. 47, or, if the Joint Board waives its right to participate, before Examiner F. Roy Linn.

No. MC 42487 (Sub No. 327), filed March 18, 1957, **CONSOLIDATED FREIGHTWAYS, INC.**, 431 Burgess Drive, Menlo Park, Calif. Applicant's attorney: William B. Adams, Pacific Building, Portland 4, Ore. For authority to operate as a *common carrier*, over irregular routes, transporting: *Asphalt, asphalt products, and heavy fuel oils*, in

bulk, in tank vehicles, from points in Alameda, Contra Costa, San Mateo, San Joaquin, Sacramento, Salano and Yolo Counties, Calif., to points in Oregon. Damaged, defective, rejected and returned shipments of the above-described commodities, from points in Oregon to points in the above specified origin counties in California.

HEARING: July 2, 1957, at 538 Pittock Block, Portland, Oreg., before Joint Board No. 11.

No. MC 49384 (Sub No. 7), filed April 8, 1957, JOHN, GUS AND HENRY VANDER POL, a co-partnership, doing business as OAK HARBOR FREIGHT LINES, 3414 Second Avenue South, Oak Harbor, Wash. Applicant's attorney: Carl A. Jonson, 400 Central Building, Seattle 4, Wash. For authority to operate as a common carrier, transporting: General commodities, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, serving Tulalop, Warm Beach and other intermediate points between Marysville, Wash., and Stanwood, Wash., on unnumbered highway as off-route points in connection with applicant's authorized regular route operations between Seattle, Wash., and Oak Harbor, Wash., over U. S. Highway 99, and Washington Highways 11, 1D, and 1E. Applicant is authorized to transport similar commodities in Washington.

HEARING: June 24, 1957, in Room 400, U. S. Court House, Fifth and Madison Streets, Seattle, Wash., before Joint Board No. 80.

No. MC 59718 (Sub No. 3), filed April 6, 1957, SAMUEL R. OPPELAAR AND CORNELIUS MEYER, doing business as OPPELAAR & MEYER, 68 Bamford Avenue, Hawthorne, N. J. Applicant's representative: David Millner, 1060 Broad Street, Newark 2, N. J. For authority to operate as a contract carrier, over irregular routes, transporting: Such merchandise as is dealt in by wholesale, retail and chain grocery and food houses, and, in connection therewith, equipment, materials and supplies used in the conduct of such business, between South Kearny and Jersey City, N. J., on the one hand, and, on the other, points in Suffolk County, Long Island, N. Y. Applicant is authorized to transport similar commodities in New York and New Jersey.

NOTE: Applicant states that the above authority is to be restricted to transportation performed under contract with American Stores Company.

HEARING: June 11, 1957, at 346 Broadway, New York, N. Y., before Examiner Allen W. Hagerty.

No. MC 66539 (Sub No. 9), filed April 10, 1957, PHIL KRASS AND MARY KRASNOWSKY, doing business as I. L. & C. COMPANY, 4535 North Kedzie Avenue, Chicago, Ill. For authority to operate as a contract carrier, over irregular routes, transporting: (1) Receivers, transmitters, and/or recorders (Electronics) separate, or combinations thereof in one unit; materials and parts used in the servicing or manufacture thereof; (2) Wearing apparel, finished or partially

finished, requiring further processing, and materials, supplies, and equipment used in the manufacture thereof; (3) Office machines and equipment and parts, material, and supplies used in the servicing and/or manufacture thereof; and (4) Empty containers or other such incidental facilities (not specified) used in transporting the commodities specified in this application, between Chicago, Ill., and New York, N. Y.

HEARING: June 7, 1957, at the Offices of the Interstate Commerce Commission, Washington, D. C., before Examiner David Waters.

No. MC 68183 (Sub No. 8), filed April 8, 1957, YANKEE LINES, INC., 1400 East Archwood Avenue, Akron 6, Ohio. Applicant's representative: W. R. Hubbard, 1032 Standard Bldg., Cleveland 14, Ohio. For authority to operate as a common carrier, over a regular route, transporting: General commodities, except those of unusual value, Class A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, between Wilmington, Del., and West Chester, Pa., over U. S. Highway 202, serving no intermediate points, but serving Wilmington, Del., and West Chester, Pa., for joinder purposes only, as an alternate route for operating convenience only in connection with applicant's authorized regular route operations (1) between Gap, Pa., and Wilmington, Del., over Pennsylvania Highway 41 and Delaware Highway 48; (2) between Lancaster, Pa., and Philadelphia, Pa., over U. S. Highway 30, which is a portion of the route between Cincinnati, Ohio and Philadelphia, Pa.; (3) between Harrisburg, Pa., and West Chester, Pa., over U. S. Highway 322, which is a portion of the route between Harrisburg, Pa., and Philadelphia, Pa.; and (4) between Hancock, Md., and Philadelphia, Pa., over U. S. Highways 40 and 13, which is a portion of the route between Akron, Ohio and Philadelphia, Pa. Applicant is authorized to conduct similar operations in Delaware, Maryland, New Jersey, Ohio, Pennsylvania, West Virginia, and the District of Columbia.

NOTE: Applicant states that the sole purpose of the instant application is to avoid the presently required operation through the congested city of Philadelphia, Pa., and its neighboring communities.

HEARING: June 6, 1957, at the Offices of the Interstate Commerce Commission, Washington, D. C., before Examiner B. E. Stillwell.

No. MC 70451 (Sub No. 190), filed April 1, 1957, WATSON BROS. TRANSPORTATION CO., INC., 802 South 14th Street, Omaha, Nebr. For authority to operate as a common carrier, over a regular route, transporting: General commodities, including Class A and B explosives, and except commodities of unusual value, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, between Junction U. S. Highway 66 and U. S. Highway 89 near Ashfork, Ariz., and Bakersfield, Calif.: from junction U. S. Highways 66 and 89, 1 mile east of Ashfork over U. S. Highway 66 to Barstow, Calif., and

thence over U. S. Highway 466 to Bakersfield, and return over the same route, serving no intermediate points, as an alternate route for operating convenience in connection with applicant's authorized regular route operations.

HEARING: June 13, 1957, at the Arizona Corporation Commission, Phoenix, Ariz., before Joint Board No. 47, or, if the Joint Board waives its right to participate, before Examiner F. Roy Linn.

No. MC 74538 (Sub No. 4), filed April 9, 1957, SHORT LINE DELIVERY CORP., Route 202, Garnerville, N. Y. For authority to operate as a common carrier, over irregular routes, transporting: General commodities, excepting those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment, between points in Rockland County, N. Y. and points in Nassau and Suffolk Counties, N. Y. Applicant is authorized to conduct operations in New York, New Jersey, and Connecticut.

HEARING: June 7, 1957, at 346 Broadway, New York, N. Y., before Examiner Allen W. Hagerty.

No. MC 78705 (Sub No. 11), filed January 22, 1957, McLAIN TRUCKING, INC., 1242 North Jefferson Street, Muncie, Ind. Applicant's attorney: John E. Lesow, 3737 North Meridian Street, Indianapolis 8, Ind. For authority to operate as a contract carrier, over irregular routes, transporting: Billets, (1) from Canton and Massillon, Ohio, to Portland, Ind.; (2) from Detroit, Mich., and Massillon and Canton, Ohio, and Chicago, Ill., to Portland and Muncie, Ind.; and (3) from Fostoria, Ohio, to Muncie, Ind.

HEARING: June 7, 1957, in Room 852, U. S. Custom House, 610 South Canal Street, Chicago, Ill., before Examiner Leo A. Riegel.

No. MC 79690 (Sub No. 14), filed April 22, 1957, COAST TRUCK LINES, INC., 1540 Fourth Avenue South, Seattle, Wash. Applicant's attorney: George H. Hart, Central Building, Seattle 4, Wash. For authority to operate as a common carrier, transporting: General commodities, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, serving all points in that part of Snohomish County, Wash., on and west of U. S. Highway 99, as off-route points in connection with applicant's authorized regular route operations over U. S. Highway 99. Applicant is authorized to conduct operations in Oregon and Washington.

HEARING: June 21, 1957, in Room 400, U. S. Court House, Fifth and Madison Streets, Seattle, Wash., before Joint Board No. 80.

No. MC 89684 (Sub No. 17) (Amended), filed January 22, 1957, published in the April 10, 1957 issue on page 2391, WYCOFF COMPANY, INCORPORATED, 346 West Sixth South, P. O. Box 366, Salt Lake City, Utah. Applicant's attorney: Harry D. Pugsley, 721 Continental Bank Building, Salt Lake City 1, Utah. For authority to operate as a common carrier, over regular routes, transporting: Bull semen, cut flowers, books, mag-

azines, newspapers and periodicals, and returned publications and damaged shipments of the above-specified commodities, (1) between Salt Lake City, Utah, and Ashton, Idaho, from Salt Lake City over U. S. Highway 91 to junction U. S. Highway 191, thence over combined U. S. Highways 191 and 91 to junction U. S. Highway 191, thence over U. S. Highway 191 to Ashton, and return over the same route, serving all intermediate points, and the off-route point of Hyde Park, Utah, as to *bull semen* only; (2) between Salt Lake City, Utah, and Weiser, Idaho, from Salt Lake City over U. S. Highway 91 to Pocatello, Idaho, thence over U. S. Highway 30-N to junction U. S. Highway 30 near Burley, Idaho (also from Salt Lake City over U. S. Highway 91 to junction U. S. Highway 30-S at Brigham City, Utah, thence over U. S. Highway 30-S to junction U. S. Highway 30 near Burley, Idaho), thence over U. S. Highway 30 to Weiser, and return over the same route, serving all intermediate points, and the off-route point of Hyde Park, Utah, as to *bull semen* only; (3) between Salt Lake City, Utah, and Sun Valley, Idaho, from Salt Lake City over U. S. Highway 91 to Pocatello, Idaho, thence over U. S. Highway 30-N to Rupert, Idaho, thence over Idaho Highway 25 to junction U. S. Highway 93, thence over U. S. Highway 93 to junction Idaho Highway 75, thence over Idaho Highway 75 to Sun Valley, and return over the same route, serving all intermediate points, and the off-route points of Hyde Park, Utah and Wendell and Gooding, Idaho, but serving Hyde Park as to *bull semen* only; and (4) between Salt Lake City, Utah, and Pocatello, Idaho, from Salt Lake City over U. S. Highway 89 to Montpelier, Idaho, thence over U. S. Highway 30-N to Pocatello, and return over the same route, serving all intermediate points. Applicant is authorized to conduct operations in Idaho, Montana, Nevada, Oregon, Utah, and Wyoming.

NOTE: Duplication with present authority should be eliminated.

HEARING: Remains as assigned, May 22, 1957, at the Utah Public Service Commission, Salt Lake City, Utah, before Joint Board No. 258.

No. MC 94201 (Sub No. 39), BOWMAN TRANSPORTATION INC., East Gadsden, Ala., published page 2890, issue April 24, 1957. The docket number shown in that publication as Sub 39 was in error. The correct docket number assigned to the subject application is No. MC 94201 Sub 38 (thirty-eight).

No. MC 95540 (Sub No. 289), filed April 10, 1957, WATKINS MOTOR LINES, INC., Cassidy Road, P. O. Box 785, Thomasville, Ga. Applicant's attorney: Joseph H. Blackshear, Gainesville, Ga. For authority to operate as a *common carrier*, over irregular routes, transporting: *Meats, meat products and meat by-products* as described in Appendix 1 to the report in *Descriptions in Motor Carrier Certificates*, 61 M. C. C. 209, 766, from points in Florida to points in Arkansas, Louisiana, Oklahoma, Texas, Nebraska, Kansas, Iowa, Minnesota, and Wisconsin except Milwaukee. Applicant

is authorized to transport similar commodities in Alabama, Arkansas, California, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Maryland, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Jersey, New Mexico, New York, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, Texas, Virginia, West Virginia, Wisconsin, and the District of Columbia.

HEARING: June 13, 1957, at the U. S. Court Rooms, Tampa, Fla., before Commissioner Laurence K. Walrath.

No. MC 104347 (Sub No. 123), filed April 15, 1957, LEAMAN TRANSPORTATION CORPORATION, 520 East Lancaster Avenue, Downingtown, Pa. Applicant's attorney: Gerald L. Phelps and Leonard A. Jaskiewicz, Munsey Building, Washington 4, D. C. For authority to operate as a *common carrier*, over irregular routes, transporting: *White oil*, in bulk, in tank vehicles, from Bayway, N. J. to Louisville, Ky. Applicant is authorized to conduct operations in Pennsylvania, Delaware, New York, Maryland, New Jersey, West Virginia, Virginia, Ohio, Illinois, and the District of Columbia.

HEARING: June 3, 1957, at 346 Broadway, New York, N. Y., before Examiner Allen W. Hagerty.

No. MC 106437 (Sub No. 5), filed April 8, 1957, JULIUS CROLLE, doing business as CROLLE TRUCKING, Dale Road, Wanaque, N. J. Applicant's representative: Bert Collins, 140 Cedar Street, New York 6, N. Y. For authority to operate as a *contract carrier*, over irregular routes, transporting: *Wearing apparel*, between Midvale, N. J., and New York, N. Y. Applicant is authorized to transport specified commodities (not wearing apparel) from, to and between specified points in New Jersey, New York, and Connecticut.

HEARING: June 3, 1957, at 346 Broadway, New York, N. Y., before Examiner Allen W. Hagerty.

No. MC 107227 (Sub No. 48), filed April 10, 1957, INSURED TRANSPORTERS, INC., 251 Park Street, San Leandro, Calif. Applicant's attorney: John G. Lyons, Mills Tower, San Francisco 4, Calif. For authority to operate as a *common carrier*, over irregular routes, transporting: *trailers and attachments thereto*, except those designed to be drawn by passenger automobiles, in initial movements, in truckaway service, from Emeryville, Calif., to points in the United States, excepting points in Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Texas, Utah and Washington, and *damaged shipments* of the above-described units on return. Applicant is authorized to conduct operations throughout the United States.

HEARING: June 17, 1957, in Room 226, Old Mint Building, Fifth and Mission Streets, San Francisco, Calif., before Examiner F. Roy Linn.

No. MC 107369 (Sub No. 11), filed March 7, 1957, VERNON LLOYD MILLER, doing business as VERNON L. MILLER TRUCKING, 2607 East Seventh Street, Cheyenne, Wyo. Applicant's representative: Robert S. Stauffer, 1510

East 20th Street, Cheyenne, Wyo. For authority to operate as a *common carrier*, over irregular routes, transporting: *Cement*, in sacks and in bulk, in tank or hopper-type vehicles, from Rapid City, S. Dak., and points within 10 miles of Rapid City, to points in Wyoming, and points in Nebraska west of a line beginning at the South Dakota-Nebraska State line at Nebraska Highway 27 and extending along Nebraska Highway 27 to junction with Nebraska Highway 2 at Ellsworth, Nebr., thence Nebraska Highway 2 to Bingham, Nebr., thence unnumbered highway to junction with U. S. Highway 26 at Oshkosh, Nebr., and thence in a southerly direction over Nebraska Highway 27 to the Nebraska-Colorado State line, including points on the highways indicated. Applicant is authorized to transport similar commodities from and to specified points in Colorado, Wyoming, and Nebraska.

HEARING: June 19, 1957, at the Alex Johnson Hotel, Rapid City, S. Dak., before Joint Board No. 233, or, if the Joint Board waives its right to participate, before Examiner Leo A. Riegel.

No. MC 107496 (Sub No. 93), filed April 26, 1957, RUAN TRANSPORT CORPORATION, 408 Southeast 30th Street, Des Moines, Iowa. For authority to operate as a *common carrier*, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, from Mapleton, Ill., to points in Minnesota, Iowa, Missouri, Ohio, Michigan, Wisconsin, Kentucky, and Indiana.

HEARING: May 8, 1957, at Room 852, U. S. Custom House, 610 South Canal Street, Chicago, Ill., before Examiner William E. Messer.

No. MC 108068 (Sub No. 25), filed April 10, 1957, U. S. A. C. TRANSPORT, INC., 457 West Fort Street, Detroit, Mich. Applicant's attorney: Paul F. Sullivan, 1821 Jefferson Place, Washington 6, D. C. For authority to operate as a *common carrier*, over irregular routes, transporting: *Radio, radar and television antennae, masts, towers, equipment and related apparatus*, the transportation of which, because of size, weight, or fragile character, requires the use of special equipment or special handling, between points in the United States, except points in the states of North Carolina, Virginia, West Virginia, Delaware, Maryland, New Jersey, Pennsylvania, New York, Connecticut, Rhode Island, Massachusetts, Ohio, Illinois, Indiana, and the District of Columbia; *empty containers or other such incidental facilities (not specified)* used in transporting the above-named commodities on return.

HEARING: June 11, 1957, at the Offices of the Interstate Commerce Commission, Washington, D. C., before Examiner C. Evans Brooks.

No. MC 108428 (Sub No. 6), filed April 17, 1957, DINO D'AGATA, northeast Corner 25th and Dickinson Streets, Philadelphia, Pa. For authority to operate as a *common carrier*, over irregular routes, transporting: *Malt beverages*, from Pittsburgh, Pa. to Atlantic City, Asbury Park, Burlington, Camden, Newark, Palmyra, Trenton and Vineland, N. J.; *empty malt beverage containers* on return. Applicant is authorized to con-

duct operations in New York, New Jersey, Ohio, Michigan, and Pennsylvania.

HEARING: June 3, 1957, at the Penn Sherwood Hotel, 3900 Chestnut Street, Philadelphia, Pa., before Examiner Charles H. Riegner.

No. MC 108449 (Sub No. 43), filed March 18, 1957, INDIANHEAD TRUCK LINE, INC., 1947 West County Road "C", St. Paul 13, Minn. Applicant's attorney: Adolph J. Bieberstein, 121 West Doty Street, Madison 3, Wis. For authority to operate as a *common carrier*, over irregular routes, transporting: (1) *Cement, lime and aggregates*, between points in Montana, Wyoming, North Dakota, South Dakota and Nebraska; (2) *Aggregates*, between points in North Dakota and Minnesota; (3) *Aggregates*, between points in Minnesota, Iowa, South Dakota, and Nebraska.

NOTE: Applicant states that no authority is sought herein to transport between two points in any one state, and no duplication of any authority is sought. Applicant is authorized to conduct operations in Wisconsin, Minnesota, Illinois, Michigan, Iowa, South Dakota and North Dakota.

HEARING: June 20, 1957, at the Alex Johnson Hotel, Rapid City, S. Dak., before Examiner Leo A. Riegel.

No. MC 108906 (Sub No. 4), filed April 10, 1957, TRINITY TRUCKING CORP., 261 West 36th Street, New York, N. Y. Applicant's attorney: Arthur J. Piken, 160-16 Jamaica Avenue, Jamaica 32, N. Y. For authority to operate as a *common carrier*, over irregular routes, transporting: *Wearing apparel and cloth, materials, trimmings and supplies* used in the manufacture of wearing apparel, between New York, N. Y., and points in Connecticut, and Garnerville and Suffern, N. Y. Applicant is authorized to transport similar commodities in Connecticut and New York.

NOTE: Applicant states the application is being made for the purpose of consolidating that portion of its Certificate No. MC 108906 relating to the transportation of wearing apparel and materials, supplies and trimmings, and further, to enable carrier to conduct a two way or between operation between virtually the same territory now authorized by this Commission.

HEARING: June 4, 1957, at 346 Broadway, New York, N. Y., before Examiner Allen W. Hagerty.

No. MC 109451 (Sub No. 71), filed April 1, 1957, ECOFF TRUCKING, INC., 112 Merrill Street, Fortville, Ind. Applicant's attorney: William J. Guenther, 1511-14 Fletcher Trust Building., Indianapolis, Ind. For authority to operate as a *contract carrier*, over irregular routes, transporting: (1) *Acids and chemicals*, in bulk, in tank vehicles, from Dubuque, Iowa, and points within 5 miles of Dubuque, to points in Minnesota, Wisconsin and Illinois; and (2) *sulphate of aluminum*, in bulk, in tank vehicles, from Hamilton, Ohio, and points within 5 miles of Hamilton, to Lexington, Ky. Applicant is authorized to transport similar commodities in Alabama, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Michigan, Mississippi, Missouri, Ohio, Pennsylvania, Tennessee, West Virginia, and Wisconsin.

No. 84—5

HEARING: June 5, 1957, at the U. S. Court Rooms, Indianapolis, Ind., before Examiner Leo A. Riegel.

No. MC 109708 (Sub No. 4), filed April 8, 1957, ERVIN J. KRAMER, doing business as MARYLAND TANK TRANSPORTATION CO., 3820 Lewin Avenue, Baltimore, Md. For authority to operate as a *common carrier*, over irregular routes, transporting: *Tallow and grease*, between Baltimore, Md. and Washington, D. C., and Norfolk, Richmond, Newport News, and Harrisonburg, Va., York, Lancaster and Manheim, Pa., and Wilmington and Bridgeville, Del. *Animal bones*, from Washington, D. C., to Long Island City, N. Y. *Crushed bones and meat scrap*, in bulk, from Long Island City, N. Y., to Lancaster and York, Pa.

HEARING: June 7, 1957, at the Offices of the Interstate Commerce Commission, Washington, D. C., before Examiner Harold W. Angle.

No. MC 111401 (Sub No. 81), (Correction) filed April 3, 1957, published in issue of April 17, page 2694, GROENDYKE TRANSPORT, INC., 2204 North Grand, P. O. Box 632, Enid, Okla. For authority to operate as a *common carrier*, over irregular routes, transporting: *Tetraethyl lead and motor fuel antiknock compounds*, in bulk in specialized vehicles, between points in Arkansas, Colorado, Illinois, Indiana, Iowa, Kansas, Louisiana, Minnesota, Missouri, Montana, Nebraska, New Mexico, North Dakota, Oklahoma, South Dakota, Texas, Utah, Wisconsin and Wyoming; and from points in all other States to points in the above named States. Applicant is authorized to conduct operations in Oklahoma, Kansas, Colorado, Texas, New Mexico, Louisiana, Mississippi, Tennessee, Missouri, and California.

HEARING: Remains as assigned May 21, 1957, at the Offices of the Interstate Commerce Commission, Washington, D. C., before Examiner Allan F. Borroughs.

No. MC 111812 (Sub No. 38), filed April 15, 1957, MIDWEST COAST TRANSPORT, INC., P. O. Box 747, Sioux Falls, S. Dak. For authority to operate as a *common carrier*, over irregular routes, transporting: *Meats, packing-house products, and commodities used by packing houses*, as defined by the Commission, from Madison and Sioux Falls, S. Dak. and Estherville, Iowa, on the one hand, and, on the other, points in Nevada and California; *hooks and racks*, (the property of the shipper involved), on return. Applicant is authorized to conduct operations in South Dakota, Washington, Oregon, Nevada, California, Minnesota, Nebraska, and Iowa.

NOTE: If authority sought herein is granted, applicant will surrender its Certificate No. MC 111812 Sub 8 and the portion of Certificate No. MC 111812 Sub 18 authorizing transportation of dairy products and articles distributed and used by meat packing houses in their business from Sioux Falls, S. Dak.

HEARING: June 10, 1957, in Room 852, U. S. Customs House, 610 Canal Street, Chicago, Ill., before Examiner Leo A. Riegel.

No. MC 111844 (Sub No. 4), filed April 17, 1957, DEAN BRENNAN, Washington Street, Wrightstown, Wis. Applicant's

attorney: Edward A. Solie, 715 First Nat'l Bank Building, Madison 3, Wis. For authority to operate as a *contract carrier*, over irregular routes, transporting: *Vinegar*, in bulk, in tank vehicles, from Manitowoc, Wis., to points in Kentucky, Iowa and Ohio; and from Cudahy, Wis., to points in Kentucky, Indiana, Ohio, Illinois, Iowa, Minnesota and Michigan. Applicant is authorized to transport vinegar from Manitowoc, Wis., to points in Illinois, Indiana, Michigan, Minnesota, and Louisville, Ky.

NOTE: Any duplication should be eliminated.

HEARING: June 12, 1957, at the Wisconsin Public Service Commission, Madison, Wis., before Examiner Leo A. Riegel.

No. MC 113651 (Sub No. 13), filed April 12, 1957, INDIANA REFRIGERATOR LINES, INC., 13th and North Elm Street, Muncie, Ind. Applicant's attorney: Charles M. Pieroni, 523 Johnson Building, Muncie, Ind. For authority to operate as a *common carrier*, over irregular routes, transporting: (1) *Meats, packing house products and commodities used by packing houses*, as defined by the Commission, from Muncie, Ind., and Indianapolis, Ind., to points in California, Oregon, and Washington; and (2) *lumber, rough and finished, including mouldings, shingles and plywood*, from points in California, Oregon and Washington, to points in Indiana and Ohio. Applicant is authorized to transport similar commodities in Alabama, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Mississippi, Missouri, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Vermont, Virginia, West Virginia, and the District of Columbia.

HEARING: June 4, 1957, at the U. S. Court Rooms, Indianapolis, Ind., before Examiner Leo A. Riegel.

No. MC 113855 (Sub No. 17), filed November 29, 1956, INTERNATIONAL TRANSPORT, INC., 2303 Third Avenue North, Fargo, N. Dak. Applicant's attorney: Franklin J. Van Osdel, First National Bank Building, Fargo, N. Dak. For authority to operate as a *common carrier*, over irregular routes, transporting: *Agricultural machinery and implements other than hand, and parts thereof; excavating, grading and loading attachments for tractors or trucks; blades and dirt-moving equipment, trenchers, and winches with attachments, accessories and parts*, from points in Fresno, Ventura, Los Angeles and Orange Counties, Calif., and Whatcom County, Wash., to points in the United States. *Damaged shipments* of the above-described commodities, on return. Applicant is authorized to conduct operations in Washington, Oregon, California, Nevada, Idaho, Montana, Utah, Arizona, New Mexico, Colorado, Wyoming, North and South Dakota, Nebraska, Iowa, Minnesota, Wisconsin, and Illinois.

NOTE: Applicant's attorney advises: "Shipper desires applicant at times to haul parts, accessories and attachments in separate

shipments, aside from the machinery to which they are to be attached".

HEARING: June 5, 1957, at the Federal Building, Los Angeles, Calif., before Examiner F. Roy Linn.

No. MC 114456 (Sub No. 4), filed April 11, 1957, GORDON N. CAVES, doing business as CAVES TRUCKING CO., P. O. Box 56, Wild Rose, Wis. Applicant's attorney: Edward Solie, 1 South Pinkney Street, Madison 3, Wis. For authority to operate as a *common carrier*, over irregular routes, transporting: *Fertilizer*, from Burlington, Iowa to points in Adams, Columbia, Dodge, Fond du Lac, Green Lake, Marquette, Outagamie, Portage, Waupaca, Wausau, Winnebago, and Wood Counties, Wis. Applicant is authorized to transport similar commodities in Minnesota and Wisconsin.

HEARING: June 13, 1957, at the Wisconsin Public Service Commission, Madison, Wis., before Joint Board No. 111, or, if the Joint Board waives its right to participate, before Examiner Leo A. Riegel.

No. MC 114679 (Sub No. 6), filed March 20, 1957, HOWARD H. KRAPP, doing business as KRAPP TRUCK SERVICE, 826 Hanover Avenue, Allentown, Pa. Applicant's representative: A. E. Enoch, Brodhead Block, 556 Main Street, Bethlehem, Pa. For authority to operate as a *common carrier*, over irregular routes, transporting: *Anthracite coal* from points in Columbia, Northumberland, Schuylkill, Luzerne and Carbon Counties, Pa. to New York, N. Y. and points on Long Island, N. Y. Applicant is authorized to transport coal and bulk commodities in dump trucks between specified New Jersey and Pennsylvania points.

HEARING: June 5, 1957, at the Penn Sherwood Hotel, 3900 Chestnut Street, Philadelphia, Pa., before Examiner Charles H. Riegner.

No. MC 115111 (Sub No. 4), filed April 12, 1957, PROVOST CARTAGE, INC., 362 Revere Street, Winthrop, Mass. Applicant's attorney: Raymond E. Bernard, 15 State Street, Boston, Mass. For authority to operate as a *contract carrier*, over irregular routes, transporting: *Lignin liquor*, in bulk, in tank vehicles, from Corinth, N. Y., to ports of entry on the International Boundary line between the United States and Canada, at or near Champlain and Chateaugay, N. Y.

HEARING: June 14, 1957, at the Federal Building, Albany, N. Y., before Examiner Charles H. Riegner.

No. MC 115309 (Sub No. 3), filed February 15, 1957, TRANSPORT SERVICE, 6395 Southeast Alberta Street, Portland, Ore. Applicant's attorney: William B. Adams, Pacific Building, Portland 4, Ore. For authority to operate as a *common carrier*, over irregular routes, transporting: *Volcanic ash, ore, and rock*, from points in Clackamas and Multnomah Counties, Ore. to points in Washington. Applicant is authorized to transport the named commodities from points in Deschutes County, Ore. to points in Washington.

HEARING: July 1, 1957, at 538 Pittock Block, Portland, Ore., before Joint Board No. 45.

No. MC 115378 (Sub No. 4), filed March 27, 1957, URANIUM ORE TRANSPORT COMPANY, a corporation, P. O. Box 504, Phoenix, Ariz. Applicant's attorney: Ronald Webster, Jr., 603 Mayer-Heard Building, Phoenix, Ariz. For authority to operate as a *common carrier*, over irregular routes, transporting: *Silica sand*, from the White Mesa copper district, located approximately 27 miles northeast of The Gap, Ariz., to points in San Juan County, N. Mex.

NOTE: Applicant states that the White Mesa copper district is located in the Navajo Indians Reservation, Coconino County, Ariz., approximately 27 miles northeast of The Gap Trading Post, Ariz. Applicant further states that operations will be seasonal as weather permits.

HEARING: June 11, 1957, at the Arizona Corporation Commission, Phoenix, Ariz., before Joint Board No. 361, or, if the Joint Board waives its right to participate, before Examiner F. Roy Linn.

No. MC 115491 (Sub No. 6), filed April 22, 1957, COMMERCIAL CARRIER CORPORATION, 502 East Bridges Avenue, Auburndale, Fla. Applicant's attorney: William P. Tomasello, 120 East Davidson Street, Bartow, Fla. For authority to operate as a *common carrier*, over irregular routes, transporting: *Canned goods*, from points in Carroll County and Boone County, Ill., and those in Wisconsin, to points in Florida, Georgia, Alabama, South Carolina and North Carolina. Applicant is authorized to conduct operations in Iowa, Nebraska, Missouri, Kansas, Minnesota, and Florida.

HEARING: June 11, 1957, at the U. S. Court Rooms, Tampa, Fla., before Commissioner Laurence K. Walrath.

No. MC 115541 (Sub No. 4), filed April 1, 1957, LEONARD H. WING, doing business as HAVERHILL TANK SERVICE, 97 White Street, Haverhill, Mass. Applicant's attorney: John W. Coddair, Jr., Forty Court Street, Boston 8, Mass. For authority to operate as a *common carrier*, over irregular routes, during the period March 15 to December 1, transporting: *such road building and grading materials* as are susceptible of being unloaded by dumping, in dump trucks, from points in New Hampshire within 35 miles of Haverhill, Mass., to Haverhill and Groveland, Mass. Applicant is authorized to conduct operations in Massachusetts and New Hampshire.

HEARING: June 17, 1957, at the New Post Office and Court House Building, Boston, Mass., before Joint Board No. 20, or, if the Joint Board waives its right to participate, before Examiner Allen W. Hagerty.

No. MC 115641 (Sub No. 1), filed April 11, 1957, ROY JACOBSEN and W. C. JACOBSEN, a partnership, doing business as JACOBSEN BROS., 328 Mill Street, Silverton, Ore. Applicant's attorney: John M. Hickson, Failing Building, Portland 4, Ore. For authority to operate as a *contract carrier*, over irregular routes, transporting: *Lumber*, from points in Yamhill, Coos, Washington, Tillamook, Clatsop, Columbia, Lincoln, Umatilla, Baker and Union Counties, Ore., to points in Idaho and Utah; and *rejected shipments of lumber* from

points in Idaho and Utah, to points in the above specified Counties in Oregon. Applicant is authorized to transport the commodity specified in Idaho, Oregon, and Utah.

HEARING: July 5, 1957, at 538 Pittock Block, Portland, Ore., before Joint Board No. 346.

No. MC 115944 (Sub No. 1), filed April 3, 1957, WALTER B. COSPER, 782 Monroe Street, Denver, Colo. For authority to operate as a *common carrier*, over irregular routes, transporting: *Beer*, in metal and glass containers, and *empty containers or other such incidental facilities* (not specified) used in transporting the above-specified commodity, between Golden and Pueblo, Colo., and Flagstaff, Phoenix, Yuma, Tucson, Globe, and Mesa, Ariz., and Albuquerque, Santa Fe, and Raton, N. Mex.

HEARING: June 12, 1957, at the Arizona Corporation Commission, Phoenix, Ariz., before Joint Board No. 306, or, if the Joint Board waives its right to participate, before Examiner F. Roy Linn.

No. MC 116008 (Sub No. 5), filed April 15, 1957, ARCHIE'S MOTOR FREIGHT, INCORPORATED, 312 East Sixth Street, Richmond 24, Va. Applicant's attorney: Herbert Baker, 50 West Broad Street, Columbus 15, Ohio. For authority to operate as a *common carrier*, over irregular routes, transporting: *Such commodities as are used or sold by dealers in five-and-ten cent stores merchandise (sometimes called limited price variety stores) and, in connection therewith, equipment, materials, and supplies used in the conduct of such business*, from the site of the G. C. Murphy Company warehouse at McKeesport, Pa. to points in Alabama, excepting Huntsville and Tuscaloosa; Florida excepting Pensacola, Tampa, and those in Dade and Broward Counties; Georgia, excepting Atlanta and Warner Robins; Maryland, excepting Annapolis, Baltimore, Cumberland, Frederick, Frostburg, Hagerstown, Hancock, Rockville, Silver Spring, and Westminster; North Carolina, excepting Charlotte, Fayetteville, and Hickory; South Carolina; and Virginia, excepting Alexandria, Clarendon and Richmond; *damaged or defective shipments of the above-specified commodities* on return. Applicant is authorized to conduct operations in Pennsylvania, Virginia, West Virginia, Maryland, Ohio, North Carolina, Alabama, Florida, and Washington, D. C.

HEARING: June 7, 1957, at the Offices of the Interstate Commerce Commission, Washington, D. C., before Examiner Lawrence A. Van Dyke.

No. MC 116326 (Sub No. 1), filed March 23, 1957, ELIOT CREAMERY, INC., doing business as HENDRIE'S, 131 Eliot Street, Milton 87, Mass. Applicant's attorney: Theodore E. Shasta, 60 State Street, Boston 9, Mass. For authority to operate as a *contract carrier*, over irregular routes, transporting: *Frozen foods*, such as fruits, fruit juices, vegetables, poultry, meats, fish, poultry meat and fish products, and bakery products, all frozen in refrigerated equipment, from Milton, Mass., to chain grocery and food stores in Connecticut, Rhode Island, Maine, New Hampshire,

and Vermont, and spoiled shipments of the above-specified commodities on return.

HEARING: June 13, 1957, at the New Post Office and Court House Building, Boston, Mass., before Examiner Allen W. Hagerty.

No. MC 116378 (Sub No. 1), filed April 8, 1957, GEORGE LaVALLEY, P. O. Box 91, Mooers, N. Y. Applicant's attorney: John J. Brady, Jr., 75 State Street, Albany 7, N. Y. For authority to operate as a common carrier, over irregular routes, transporting: *Lime and limestone products*, in bulk, in dump trucks, from Chazy, N. Y. to the Port of Entry on the International Boundary between the United States and Canada located at Champlain, N. Y.

HEARING: June 14, 1957, at the Federal Building, Albany, N. Y., before Examiner Charles H. Riegner.

No. MC 116540, filed March 25, 1957, FRANCIS E. CADWALLADER, 134 East Wilsey Street, Philadelphia 25, Pa. Applicant's attorney: Ralph C. Büsser, Jr., 1609 Morris Bldg., 1421 Chestnut Street, Philadelphia 2, Pa. For authority to operate as a contract carrier, over irregular routes, transporting: *Fluorescent lighting fixtures*, dismantled and assembled; *parts and supplies* used in the manufacture of such fixtures, from the sites or plants of Herman Hassinger, Inc., its successors and assigns in Philadelphia, Pa., to points in New Jersey, New York, Delaware, Maryland, Connecticut, Massachusetts, Ohio, and the District of Columbia, and empty containers or other such incidental facilities (not specified) used in transporting the commodities specific in this application, and rejected and defective shipments of the above-described commodities on return.

HEARING: June 5, 1957, at the Penn Sherwood Hotel, 3900 Chestnut Street, Philadelphia, Pa., before Examiner Charles H. Riegner.

No. MC 116505, filed March 8, 1957, HEAVY HAULING, INC., 8640 East Marginal Way, Seattle, Wash. Applicant's attorney: George R. LaBissioniere, 654 Central Building, Seattle 4, Wash. For authority to operate as a common carrier, over irregular routes, transporting: (1) *heavy machinery, consisting of logging, mining, road building and contractors' equipment and steel articles*, including but not limited to those requiring special equipment, between points in Washington on the one hand, and, on the other, ports of entry on the international boundary line between the United States and Canada at or near Blaine, Wash., at or near Lyndon, Wash., at or near Sumas, Wash., at or near Omak, Wash., at or near Eastport and Porthill, Idaho, and at or near Sweet Grass, Mont.; (2) *Lumber, shingles and shakes*, rough or finished from the ports of entry on the international boundary line between the United States and Canada at or near Blaine, Lyndon, Sumas and Omak, Wash., Eastport, Idaho, and Sweet Grass, Mont., to points in Washington.

HEARING: June 26, 1957, in Room 400, U. S. Court House, Fifth and Madison Streets, Seattle, Wash., before Joint Board No. 79.

No. MC 116547, filed March 27, 1957, EDWARD J. TSCHETTER, Route 1, Huron, S. Dak. For authority to operate as a common carrier, over irregular routes, transporting: *Salt*, from points in Kansas to points in South Dakota east of the Missouri River.

HEARING: June 17, 1957, at the South Dakota Public Utilities Commission, Pierre, S. Dak., before Examiner Leo A. Riegel.

No. MC 116554, filed April 1, 1957, WALTER BUCHOLTZ, R. R. 1, Algoma, Wis. For authority to operate as a common carrier, over irregular routes, transporting: (1) *Pallets, dowels, glue pins, lumber and logs*, from Algoma, Wis., to points in Minnesota, Iowa, Illinois, Indiana and Wisconsin, and *lumber mill supplies* on return; (2) *pallets, dowels, glue pins, lumber and logs*, between Algoma, Wis., and points in Minnesota, Iowa, Illinois, Indiana, and Wisconsin.

HEARING: June 12, 1957, at the Wisconsin Public Service Commission, Madison, Wis., before Examiner Leo A. Riegel.

No. MC 116558 (Sub No. 1), filed April 9, 1957, MICHAEL L. VOLPE, 42 Wallis Ave., Jersey City, N. J. Applicant's representative: John T. Hildemann, 1026 Hudson Street, Hoboken, N. J. For authority to operate as a contract carrier, over irregular routes, transporting: *Such merchandise as is dealt in by wholesale, retail and chain grocery and food business houses*, and, in connection therewith, *equipment, materials, and supplies used in the conduct of such business*, between points in New Jersey, North and East of the Southern and Western boundaries of Ocean County, East of the Western boundary of Monmouth County and North of the Southern boundary of Mercer County and those in New York East of the Western boundary of Sullivan County and South of the Northern boundaries of Sullivan, Ulster and Dutchess Counties including New York, N. Y. and points on Long Island, N. Y. and including points on the above specified boundary lines.

HEARING: June 7, 1957, at the New Jersey Board of Public Utility Commissioners, Newark, N. J., before Examiner Charles H. Riegner.

No. MC 116559 (Sub No. 1), filed April 9, 1957, THOMAS H. HENRIKSEN, 4 Nutwood Avenue, West Orange, N. J. Applicant's representative: John T. Hildemann, 1026 Hudson Street, Hoboken, N. J. For authority to operate as a contract carrier, over irregular routes, transporting: *Such merchandise as is dealt in by wholesale, retail and chain grocery and food business houses*, and, in connection therewith, *equipment, materials and supplies used in the conduct of such business*, between points in New Jersey, North and East of the Southern and Western boundaries of Ocean County, East of the Western boundary of Monmouth County and North of the Southern boundary of Mercer County and those in New York East of the Western boundary of Sullivan County and South of the Northern boundaries of Sullivan, Ulster and Dutchess Counties including New York, N. Y. and points on Long Island, N. Y. and including points on the above specified boundary lines.

HEARING: June 7, 1957, at the New Jersey Board of Public Utility Commissioners, Newark, N. J., before Examiner Charles H. Riegner.

No. MC 116560 (Sub No. 1), filed April 9, 1957, JOSEPH GALAJDA, 185 Munn Avenue, Irvington, N. J. Applicant's representative: John T. Hildemann, 1026 Hudson Street, Hoboken, N. J. For authority to operate as a contract carrier, over irregular routes, transporting: *Such merchandise as is dealt in by wholesale, retail and chain grocery and food business houses*, and, in connection therewith, *equipment, materials, and supplies used in the conduct of such business*, between points in New Jersey north and east of the southern and western boundaries of Ocean County, east of the western boundary of Monmouth County and north of the southern boundary of Mercer County, those in New York east of the western boundary of Sullivan County and south of the northern boundaries of Sullivan, Ulster and Dutchess Counties, including points on the specified boundary lines, points on Long Island, N. Y., and New York, N. Y.

HEARING: June 7, 1957, at the New Jersey Board of Public Utility Commissioners, Newark, N. J., before Examiner Charles H. Riegner.

No. MC 116561 (Sub No. 1), filed April 9, 1957, WALTER KELLER, 235 Old Tote Road, Westfield, N. J. Applicant's representative: John T. Hildemann, 1026 Hudson Street, Hoboken, N. J. For authority to operate as a contract carrier, over irregular routes, transporting: *Such merchandise as is dealt in by wholesale, retail and chain grocery and food business houses*, and, in connection therewith, *equipment, materials and supplies used in the conduct of such business*, between points in New Jersey north and east of the southern and western boundaries of Ocean County, east of the western boundary of Monmouth County and north of the southern boundary of Mercer County and those in New York east of the western boundary of Sullivan County and south of the northern boundaries of Sullivan, Ulster and Dutchess Counties, including points on the boundary lines specified, points on Long Island, N. Y., and New York, N. Y.

HEARING: June 7, 1957, at the New Jersey Board of Public Utility Commissioners, Newark, N. J., before Examiner Charles H. Riegner.

No. MC 116562, filed April 3, 1957, ARTHUR W. COULTER, 2291 Crater Lake Avenue, Medford, Ore. Applicant's representative: I. R. Perry, P. O. Box 594, Grants Pass, Ore. For authority to operate as a common carrier, over irregular routes, transporting: *Lumber*, from points in Douglas, Jackson, Josephine and Lane Counties, Ore., to points in California and Nevada.

HEARING: July 8, 1957, at the Federal Building, Medford, Ore., before Joint Board No. 151.

No. MC 116565, filed April 3, 1957, ORVILLE STEVENSON, 316 S. W. "K" Street, Grants Pass, Ore. Applicant's representative: I. R. Perry, P. O. Box 594, Grants Pass, Ore. For authority to operate as a common carrier, over irregular routes, transporting: *Lumber*,

from points in Douglas, Jackson, Josephine and Lane Counties, Oreg., to points in California and Nevada.

HEARING: July 8, 1957, at the Federal Building, Medford, Oreg., before Joint Board No. 151.

No. MC 116567, filed April 4, 1957, R. E. MACY, doing business as MACY TRUCKING COMPANY & BULK CEMENT SERVICE, 106 North University Road, Vermillion, S. Dak. Applicant's attorney: Warren W. May, Pierre National Bank Building, Pierre, S. Dak. For authority to operate as a *common carrier*, over irregular routes, *transporting: Cement*, in bulk and in sacks, from Rapid City, S. Dak., and points within five (5) miles thereof, to points in Nebraska on and north of U. S. Highway 30 and on and west of U. S. Highway 281; to points in Montana on and east of a line beginning at the southerly entrance of U. S. Highway 212 near Alzada, Mont., and extending in a northerly direction along U. S. Highway 212 to Miles City, Mont., thence in a northeasterly direction along U. S. Highway 10 to Glendive, Mont., thence along Montana Highway 18 to Circle, Mont., thence along Montana Highway 13 to the United States-Canada International Boundary line, including points on the indicated portions of the highways specified; to points in Wyoming on and north of U. S. Highway 30 and on and east of U. S. Highway 287; and those in North Dakota on and west of U. S. Highway 83.

HEARING: June 18, 1957, at 11:00 o'clock a. m., United States Standard Time (or 11:00 o'clock a. m., local daylight saving time, if that time is observed), at the Alex Johnson Hotel, Rapid City, S. Dak., before Examiner Leo A. Riegel.

No. MC 116575, filed April 8, 1957, FLOYD BUDD, doing business as FLOYD BUDD TRANSPORT, R. R. No. 1, Simcoe, Ontario, Canada. For authority to operate as a *common carrier*, over irregular routes, *transporting: Farm machinery, and farm machinery parts*, from Belleville, Pa., and New Holland, Pa. and Mountville, Pa. to Ports of Entry on the International Boundary between the United States and Canada located at Niagara Falls and Buffalo, N. Y.

HEARING: June 17, 1957, at the Hotel Buffalo, Washington and Swann Streets, Buffalo, N. Y., before Examiner Charles H. Riegner.

No. MC 116587, filed April 10, 1957, EASTERN-WESTERN TRUCKING, INC., 3720 Military Road, Puyallup, Wash. Applicant's attorney: George R. LaBissoniere, 654 Central Building, Seattle 4, Wash. For authority to operate as a *common carrier*, over irregular routes, *transporting: Lumber*, restricted to traffic having a prior or subsequent movement by water, between points in Washington, on the one hand, and, on the other, ports and docks located in the State of Washington.

HEARING: June 20, 1957, in Room 400, U. S. Court House, Fifth and Madison Streets, Seattle, Wash., before Joint Board No. 80.

No. MC 116588, filed April 10, 1957, FARRY GRANZOTTO, doing business as

GRANZOTTO TRUCKING COMPANY, 1801 Olive Avenue, Walnut Creek, Calif. Applicant's attorney: John A. Nehedly, 1627 Camplin Avenue, Walnut Creek, Calif. For authority to operate as a *contract carrier*, over a regular route, *transporting: Powdered coke*, from the site of the Associated Oil Co., plant in Avon, Calif., to the M & R Terminal Dock in Pittsburg, Calif., from the site of the Associated Oil Co., plant on Avon Road, in Avon, Calif., near Martinez, Calif., in a southerly direction on Avon Road to junction California Highway 4 (Arnold Industrial Highway), thence in an easterly direction over California Highway 4 to Railroad Avenue Overpass, in Pittsburg, thence north over Railroad Avenue to junction California Street, thence east over California Street to junction Harbor Street, thence north over Harbor Street to junction East 3rd Street thence west over East 3rd Street (approximately 100 feet) to the entrance of the M & R Terminal Dock (Government dock), thence north on to the said dock, serving no intermediate points.

HEARING: June 18, 1957, in Room 226, Old Mint Building, Fifth and Mission Streets, San Francisco, Calif., before Joint Board No. 75, or if the Joint Board waives its right to participate, before Examiner F. Roy Linn.

No. MC 116589, filed April 10, 1957, EDWIN M. LEMIRE and LEROY E. WINCHESTER, a partnership, doing business as LEMIRE & WINCHESTER TRUCKING, 1196 Ross Lane, Medford, Oreg. Applicant's representative: I. R. Perry, P. O. Box 594, Grants Pass, Oreg. For authority to operate as a *common carrier*, over irregular routes, *transporting: Lumber*, from points in Douglas, Jackson, Josephine and Lane Counties, Oreg., to points in California and Nevada.

HEARING: July 8, 1957, at the Federal Building, Medford, Oreg., before Joint Board No. 151.

No. MC 116593, filed April 12, 1957, PETER SMITH, Box 140, Acme, Mich. Applicant's representative: William L. Wise, 326 State Street, Traverse City, Mich. For authority to operate as a *contract carrier*, over irregular routes, *transporting: Canned cherries, frozen cherries, cherries in water and cherries in brine*, from Elk Rapids, Mich., and Shelby, Mich., and points within ten miles of Elk Rapids and Shelby, Mich., to points in Michigan, Indiana, Illinois, Arkansas, Tennessee, Kentucky, Alabama, Ohio, Pennsylvania, New York, Wisconsin and Minnesota; and *empty containers or other such incidental facilities* (not specified), used in transporting the commodities specified, from points in the above-described destination area to Elk Rapids and Shelby, Mich., and points within ten miles of each.

HEARING: June 3, 1957, at the Federal Building, Detroit, Mich., before Examiner Robert A. Joyner.

No. MC 116595, filed April 15, 1957, HOLLY FARMS POULTRY COMPANY, INC., P. O. Box 88, Wilkesboro, N. C. Applicant's attorney: Reuben G. Crimm, Eight-O-Five Peachtree Street Building, Atlanta 8, Ga. For authority to operate as a *contract carrier*, over irregular

routes, *transporting: Fiber pipe and conduit* (impregnated with coal tar pitch), loose, and *connections* thereof, in straight shipments or in mixed shipments with *plastic pipe*, from Orangeburg, N. Y., to points in North Carolina, South Carolina, Georgia, Florida, Alabama, Tennessee, Illinois, Indiana, Michigan, Ohio, and West Virginia.

HEARING: June 10, 1957, at 346 Broadway, New York, N. Y., before Examiner Allen W. Hagerty.

No. MC 116596, filed April 15, 1957, ROBERT GEIST, doing business as INLAND EXCAVATING CO., 1832 East Isaacs Avenue, Walla Walla, Wash. For authority to operate as a *common carrier*, over irregular routes, *transporting: Asphalt, crushed rock, dirt, sand, gravel and debris*, in dump trucks, between plant sites located near Milton-Freewater, Oreg. and at Walla Walla, Wash. and points in Umatilla County, Oreg. and those in Columbia and Walla Walla Counties, Wash.

HEARING: June 19, 1957, at the Daventport Hotel, Spokane, Wash., before Joint Board No. 45.

No. MC 116599, filed April 17, 1957, FRANK HORN BROOK, doing business as HORN BROOK AND SONS, 4213 Vasconia Street, Tampa, Fla. Applicant's attorney: Myron G. Gibbons, Mailing address, P. O. Box 1363, Suite 918 First National Bank Building, Tampa, Fla. For authority to operate as a *contract carrier*, over irregular routes, *transporting: Equipment used in dewatering systems including gasoline and diesel pumps; pipe, well points and all fittings and parts used in dewatering systems*, between Rockaway, N. J., and Tampa, Fla.; and from Tampa, Fla., to points in Florida, Georgia, Alabama, North Carolina, South Carolina, and Tennessee.

HEARING: June 12, 1957, at the U. S. Court Rooms, Tampa, Fla., before Commissioner Laurence K. Walrath.

MOTOR CARRIERS OF PASSENGERS

No. MC 3647 (Sub No. 214), filed March 20, 1957, PUBLIC SERVICE COORDINATED TRANSPORT, a Corporation, 180 Boyden Avenue, Maplewood, N. J. Applicant's attorney: Frederick M. Broadfoot, Public Service Terminal, Newark 1, N. J. For authority to operate as a *common carrier*, over irregular routes, *transporting: Passengers and their baggage*, in special operations, in round-trip sightseeing and pleasure tours, beginning and ending at points in the City of Elizabeth, N. J., and extending to points in Pennsylvania, New York, Delaware, Maryland, Virginia, Connecticut, Rhode Island, Massachusetts, New Hampshire, Vermont, Maine and the District of Columbia. Applicant is authorized to conduct similar operations between specified points in New Jersey, New York, Pennsylvania, the District of Columbia, and Virginia.

HEARING: June 10, 1957, at the New Jersey Board of Public Utility Commissioners, Newark, N. J., before Examiner Charles H. Riegner.

No. MC 3647 (Sub No. 215), filed March 20, 1957, PUBLIC SERVICE COORDINATED TRANSPORT, a Corporation, 180 Boyden Ave., Maplewood, N. J. Ap-

plicant's attorney: Frederick M. Broadfoot, Public Service Terminal, Newark 1, N. J. For authority to operate as a common carrier, over irregular routes, transporting: *Passengers and their baggage*, in special operations, in round-trip sightseeing and pleasure tours, beginning and ending at points in Middlesex County, N. J., and extending to points in Pennsylvania, New York, Delaware, Maryland, Virginia, Connecticut, Rhode Island, Massachusetts, New Hampshire, Vermont, Maine, and the District of Columbia. Applicant is authorized to conduct similar operations in New York, New Jersey, and Pennsylvania.

HEARING: June 12, 1957, at the New Jersey Board of Public Utility Commissioners, Newark, N. J., before Examiner Charles H. Riegner.

No. MC 52980 (Sub No. 12), filed April 5, 1957, ROYAL BLUE COACHES, INC., 8 Main Street, Clinton, N. J. Applicant's attorney: Paul F. Barnes, 225 South Fifteenth Street, Philadelphia 2, Pa. For authority to operate as a common carrier, over a regular route, transporting: *Passengers and their baggage*, and express and newspapers in the same vehicle with passengers, between Flemington, N. J., and Somerville, N. J.: from Flemington over Hunterdon County Road 8 to junction with U. S. Highway 202, and thence over U. S. Highway 202 to junction with U. S. Highway 22 (formerly New Jersey Highway 29) in Somerville, and return over the same route, serving all intermediate points. Applicant is authorized to conduct similar operations in Pennsylvania, New York, and New Jersey.

HEARING: June 3, 1957, at the New Jersey Board of Public Utility Commissioners, Newark, N. J., before Joint Board No. 119.

No. MC 67225 (Sub No. 10), filed April 1, 1957, BRITISH COLUMBIA ELECTRIC COMPANY, LIMITED, doing business as PACIFIC STAGE LINES, 150 Dunsmuir Street, Vancouver 3, British Columbia, Canada. For authority to operate as a common carrier, over irregular routes, transporting: *Passengers and their baggage*, in the same vehicle with passengers, in special operations, between the International boundary between the United States and Canada at Blaine, Sumas and Lynden, Wash., on the one hand, and, on the other, points in Skagit and Island Counties, Wash., restriction to the transportation of passengers and their baggage, in the same vehicle with passengers, moving from or to points in Canada. Applicant is authorized to engage in similar operations in special operations in Washington, and in charter operations in Washington and Oregon.

HEARING: June 24, 1957, in Room 400, U. S. Court House, Fifth and Madison Streets, Seattle, Wash., before Joint Board No. 237.

No. MC 116568, filed April 4, 1957, STANLEY BACHYNSKI, doing business as PENINSULA COACH LINES, R. R. No. 5, Fenwick, Ontario, Canada. For authority to operate as a common carrier, over irregular routes, transporting: *Passengers and their baggage* in the same vehicle with passengers, in round-

trip charter operations beginning and ending at Ports of Entry on the International Boundary between the United States and Canada located at Buffalo and Niagara Falls, N. Y. and Detroit, Mich. and extending to points in New York, Michigan, Ohio, Pennsylvania, and the District of Columbia.

HEARING: June 17, 1957, at the Hotel Buffalo, Washington and Swann Streets, Buffalo, N. Y., before Examiner Charles H. Riegner.

No. MC 116578, filed April 8, 1957, ERNEST WILLIAM BEVACQUA, 620 16th Street, Niagara Falls, N. Y. Applicant's attorney: S. Harrison Kahn, 726-34 Investment Building, Washington, D. C. For authority to operate as a common carrier, over irregular routes, transporting: *Passengers and their baggage*, in special operations, limited to the transportation of not more than seven (7) passengers in any one vehicle, but not including the driver thereof, and not including children under ten years of age who do not occupy a seat or seats, between points in Niagara County, N. Y., on the one hand, and, on the other, ports of entry at the International Boundary Line between the United States and Canada at Buffalo, Niagara Falls, and Lewiston, N. Y.

HEARING: June 18, 1957, at the Hotel Buffalo, Washington and Swann Streets, Buffalo, N. Y., before Examiner Charles H. Riegner.

No. MC 116579, filed April 8, 1957, LEONARD MATHEW CANNELLO, 646 Fourth Street, Niagara Falls, N. Y. Applicant's attorney: S. Harrison Kahn, 726-34 Investment Building, Washington, D. C. For authority to operate as a common carrier, over irregular routes, transporting: *Passengers and their baggage*, in special operations, limited to the transportation of not more than seven (7) passengers in any one vehicle, but not including the driver thereof, and not including children under ten years of age who do not occupy a seat or seats, between points in Niagara County, N. Y., on the one hand, and, on the other, ports of entry at the International Boundary line between the United States and Canada at Buffalo, Niagara Falls, and Lewiston, N. Y.

HEARING: June 18, 1957, at the Hotel Buffalo, Washington and Swann Streets, Buffalo, N. Y., before Examiner Charles H. Riegner.

No. MC 116580, filed April 8, 1957, JOSEPH LOUIS CROGAN, 456 20th Street, Niagara Falls, N. Y. Applicant's attorney: S. Harrison Kahn, 726-34 Investment Building, Washington, D. C. For authority to operate as a common carrier, over irregular routes, transporting: *Passengers and their baggage*, in special operations, limited to the transportation of not more than seven (7) passengers in any one vehicle, but not including the driver thereof, and not including children under ten years of age who do not occupy a seat or seats, between points in Niagara County, N. Y., on the one hand, and, on the other, ports of entry at the International Boundary line between the United States and Canada at Buffalo, Niagara Falls, and Lewiston, N. Y.

HEARING: June 18, 1957, at the Hotel Buffalo, Washington and Swann Streets, Buffalo, N. Y., before Examiner Charles H. Riegner.

No. MC 116581, filed April 8, 1957, JOSEPH DIPASQUALE, 713 15th Street, Niagara Falls, N. Y. Applicant's attorney: S. Harrison Kahn, 726-34 Investment Building, Washington, D. C. For authority to operate as a common carrier, over irregular routes, transporting: *Passengers and their baggage*, in special operations, limited to the transportation of not more than seven (7) passengers in any one vehicle, but not including the driver thereof, and not including children under ten years of age who do not occupy a seat or seats, between points in Niagara County, N. Y., on the one hand, and, on the other, ports of entry on the United States-Canada International Boundary line at or near Buffalo, Niagara Falls, and Lewiston, N. Y.

HEARING: June 18, 1957, at the Hotel Buffalo, Washington and Swann Streets, Buffalo, N. Y., before Examiner Charles H. Riegner.

No. MC 116582, filed April 8, 1957, FALLS & GORGE TOURS, INC., 1514 Walnut Avenue, Niagara Falls, N. Y. Applicant's attorney: S. Harrison Kahn, 726-34 Investment Building, Washington, D. C. For authority to operate as a common carrier, over irregular routes, transporting: *Passengers and their baggage*, in special operations, limited to the transportation of not more than seven (7) passengers in any one vehicle, but not including the driver thereof, and not including children under ten years of age who do not occupy a seat or seats, between points in Niagara County, N. Y., on the one hand, and, on the other, ports of entry on the United States-Canada International Boundary line at or near Buffalo, Niagara Falls, and Lewiston, N. Y.

HEARING: June 18, 1957, at the Hotel Buffalo, Washington and Swann Streets, Buffalo, N. Y., before Examiner Charles H. Riegner.

No. MC 116583, filed April 8, 1957, GROVER LONDON, doing business as INTERNATIONAL HONEYMOON TOURS, 8601-8621 Pine Avenue, Niagara Falls, N. Y. Applicant's attorney: S. Harrison Kahn, 726-34 Investment Building, Washington, D. C. For authority to operate as a common carrier, over irregular routes, transporting: *Passengers and their baggage*, in special operations, limited to the transportation of not more than seven (7) passengers in any one vehicle, but not including the driver thereof, and not including children under ten years of age who do not occupy a seat or seats, between points in Niagara County, N. Y., on the one hand, and, on the other, ports of entry at the International Boundary Line between the United States and Canada at Buffalo, Niagara Falls, and Lewiston, N. Y.

HEARING: June 18, 1957, at the Hotel Buffalo, Washington and Swann Streets, Buffalo, N. Y., before Examiner Charles H. Riegner.

No. MC 116584, filed April 8, 1957, LOUIS LARRATTA, 432 10th Street, Niagara Falls, N. Y. Applicant's attorney: S. Harrison Kahn, 726-34 Investment Building, Washington, D. C. For

authority to operate as a *common carrier*, over irregular routes, transporting: *Passengers and their baggage*, in special operations, limited to the transportation of not more than seven (7) passengers in any one vehicle, but not including the driver thereof, and not including children under ten years of age who do not occupy a seat or seats, between points in Niagara County, N. Y., on the one hand, and, on the other, ports of entry on the United States-Canada International Boundary line at or near Buffalo, Niagara Falls, and Lewiston, N. Y.

HEARING: June 18, 1957, at the Hotel Buffalo, Washington and Swann Streets, Buffalo, N. Y., before Examiner Charles H. Riegner.

No. MC 116585, filed April 8, 1957, LEONARD MICHAEL CANNELLO, doing business as LEONARD'S TOURS, 646 Fourth Street, Niagara Falls, N. Y. Applicant's attorney: S. Harrison Kahn, 726-34 Investment Building, Washington, D. C. For authority to operate as a *common carrier*, over irregular routes, transporting: *Passengers and their baggage*, in special operations, limited to the transportation of not more than seven (7) passengers in any one vehicle, but not including the driver thereof, and not including children under ten years of age who do not occupy a seat or seats, between points in Niagara County, N. Y., on the one hand, and, on the other, ports of entry on the United States-Canada International Boundary line at or near Buffalo, Niagara Falls, and Lewiston, N. Y.

HEARING: June 18, 1957, at the Hotel Buffalo, Washington and Swann Streets, Buffalo, N. Y., before Examiner Charles H. Riegner.

APPLICATIONS IN WHICH HANDLING WITHOUT ORAL HEARING IS REQUESTED

MOTOR CARRIERS OF PROPERTY

No. MC 2900 (Sub No. 89), filed April 8, 1957, GREAT SOUTHERN TRUCKING COMPANY, a corporation, 2050 Kings Road, (P. O. Box 2408), Jacksonville, Fla. For authority to operate as a *common carrier*, transporting: *General commodities*, except those of unusual value, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, serving the site of the Pratt and Whitney Aircraft Plant, located near and south of Florida Highway 706, approximately twelve (12) miles west of Jupiter, Fla., in Palm Beach County, Fla., as an off-route point in connection with applicant's authorized regular route authority between Jacksonville, Fla., and Miami, Fla., over U. S. Highway 1. Applicant is authorized to conduct operations in Alabama, Florida, Georgia, North Carolina, South Carolina, and Tennessee.

No. MC 72818 (Sub No. 1), filed April 15, 1957, EARL HONSON, Mediapolis, Iowa. Applicant's representative: William A. Landau, 1307 East Walnut Street, Des Moines 16, Iowa. For authority to operate as a *common carrier*, over irregular routes, transporting: *Inedible cheese trimmings*, from points in Missouri and Wisconsin to points in Iowa, Illinois and Missouri located on the Mississippi River. Applicant is authorized

to conduct operations in Iowa and Illinois.

No. MC 78786 (Sub No. 210), filed April 16, 1957, PACIFIC MOTOR TRUCKING COMPANY, 65 Market Street, San Francisco 5, Calif. For authority to operate as a *common carrier*, transporting: *General commodities*, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment, from the junction of U. S. Highway 99W and unnumbered County road near Dunnigan, Calif., over unnumbered County road via Madison and Winters, Calif. to junction U. S. Highway 40 near Vacaville, Calif., and return over the same route, serving no intermediate points, as an alternate route for operating convenience only, in connection with applicant's authorized regular route operations between Ashland, Ore. and South San Francisco, Calif. which are subject to the condition that service shall not be rendered from or to, or traffic interchanged at, any point which is not a station on the lines of the Southern Pacific Company, if such point is more than ten miles by highway from such a station. Applicant is authorized to conduct operations in California, Arizona, Texas, New Mexico, Oregon, and Nevada.

No. MC 99109 (Sub No. 1), filed February 25, 1957, MARVIN C. FRISCH, doing business as HEUTON TRANSFER, Atkinson, Nebr. Applicant's attorney: J. Max Harding, 901 South Thirteenth Street, Lincoln, Nebr. For authority to operate as a *common carrier*, over regular routes, transporting: (1) *General commodities*, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, beer and liquor, and commodities requiring special equipment, between Stuart, Nebr., and Council Bluffs, Iowa, from Stuart over U. S. Highway 20 to junction U. S. Highway 275, thence over U. S. Highway 275 to Council Bluffs, and return over the same route, serving O'Neill, Atkinson, and Emmett, Nebr., as intermediate points; (2) *Beer and liquor* exclusively, between Stuart, Nebr., and Council Bluffs, Iowa, from Stuart over U. S. Highway 20 to junction U. S. Highway 275, thence over U. S. Highway 275 to Council Bluffs, and return over the same route, serving Atkinson, Nebr., as an intermediate point; (3) *General commodities*, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment, other than refrigeration, between Creighton, Nebr., and Council Bluffs, Iowa, from Creighton over Nebraska Highway 13 to junction U. S. Highway 20, thence over U. S. Highway 20 to junction U. S. Highway 81, thence over U. S. Highway 81 to Norfolk, Nebr., thence over U. S. Highway 275 to Council Bluffs, and return over the same route, serving Fremont, Nebr., as an intermediate point, except that no service is authorized between Fremont, Nebr., on the one hand, and, on the other, Council Bluffs, Iowa; (4) *General*

commodities, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment, other than refrigeration, between Creighton, Nebr., and Jamison, Nebr., from Creighton over Nebraska Highway 13 to junction Nebraska Highway 84, thence over Nebraska Highway 84 to Verdigris, Nebr., thence over Nebraska Highway 14 to junction Nebraska Highway 12, thence over Nebraska Highway 12 to Jamison, and return over the same route serving all intermediate points, and the off-route point of Gross, Nebr.; and (5) *General commodities*, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment, other than refrigeration, between Jamison, Nebr., and Council Bluffs, Iowa, from Jamison over Nebraska Highway 12 to junction U. S. Highway 281, thence over U. S. Highway 281 to O'Neill, Nebr., thence over U. S. Highway 275 to Council Bluffs, and return over the same route, serving the intermediate points of Fremont and Spencer, Nebr., and all intermediate points between Spencer, Nebr., and Jamison, Nebr., except that no service is authorized between Fremont, Nebr., on the one hand, and, on the other, Council Bluffs, Iowa.

NOTE: Applicant is now operating in interstate commerce over most of the same routes and area involved herein under and by virtue of registration of Nebraska intrastate authority, under MC 99109. If the instant application is granted, applicant will voluntarily relinquish the registered authority.

No. MC 109689 (Sub No. 47), filed April 18, 1957, W. S. HATCH CO., 643 South Eighth West, Woods Cross, Utah. For authority to operate as a *common carrier*, over irregular routes, transporting: *Sulphuric acid*, in bulk, in tank vehicles, from Casper, Wyo. and points within twenty-five miles of Casper, to Edgemont, S. Dak. and points within twenty-five (25) miles of Edgemont; *contaminated shipments of sulphuric acid* on return. Applicant is authorized to conduct operations in Utah, Idaho, Nevada, Colorado, Montana, and Oregon.

No. MC 115460 (Sub No. 1), filed April 17, 1957, RALPH NOE, 726 West First, Maryville, Mo. For authority to operate as a *common carrier*, over irregular routes, transporting: *Crushed rock*, from points in Worth County, Missouri to points in Ringgold, Page and Taylor Counties, Iowa. Applicant is authorized to transport crushed rock in Missouri and Iowa.

No. MC 116609, filed April 24, 1957, ERNEST TRENTNER, JR., 37 D Street, Keyser, W. Va. Applicant's representative: Peter J. Decker, 917 Grand Avenue, Cumberland, Md. For authority to operate as a *common carrier*, over irregular routes, transporting: *Beer*, from Cleveland, Ohio to Keyser, W. Va., and *empty containers or other such incidental facilities* (not specified) used in transporting beer on return.

MOTOR CARRIERS OF PASSENGERS

No. MC 1501 (Sub No. 133), filed April 15, 1957, THE GREYHOUND CORPO-

RATION, 2600 Board of Trade Building, Chicago, Ill. Applicant's attorney: Jack R. Turney, 2001 Massachusetts Avenue NW., Washington 4, D. C. For authority to operate as a common carrier, over regular routes, transporting: *Passengers and their baggage, and express, mail and newspapers* in the same vehicle with passengers, between Waycross, Ga., and Douglas, Ga., from Waycross over U. S. Highway 82 to junction Georgia Highway 158, thence over Georgia Highway 158 to Douglas, and return over the same route, as an alternate route for operating convenience only, serving no intermediate points, in connection with carrier's authorized regular route operations serving both Waycross and Douglas, Ga., via Alma, Ga., over U. S. Highway 1 from Waycross to Alma, and over Georgia Highway 32 from Alma to Douglas, Ga. Applicant is authorized to conduct operations throughout the United States.

No. MC 45626 (Sub No. 35), filed April 15, 1957, VERMONT TRANSIT CO., INC., 135 St. Paul Street, Burlington, Vt. Applicant's attorney: L. C. Major, Jr., 2001 Massachusetts Avenue NW., Washington 6, D. C. For authority to operate as a common carrier, over regular routes, transporting: *Passengers and their baggage, and express and newspapers* in the same vehicle with passengers, during the period between May 1 and October 31, inclusive, of each year, between Concord, N. H., and Hampton Beach, N. H., from Concord over U. S. Highway 4 to Portsmouth, N. H., thence over New Hampshire Highway 1-A to Hampton Beach (also from Portsmouth over U. S. Highway 1 to Hampton, N. H., thence over New Hampshire Highway 101-E to junction New Hampshire Highway 1-A) (also from Portsmouth over the New Hampshire Turnpike to Hampton Interchange, thence over New Hampshire Highway 101-C to Hampton), and return over the same routes, serving all intermediate points. RESTRICTION: The above described routes shall be used only in connection with the operation of busses which either originate at, or are destined to, a point west of the New Hampshire-Vermont State line. Applicant is authorized to conduct operations in Massachusetts, Maine, New Hampshire, New York, and Vermont.

PETITION FOR REOPENING AND MODIFICATION OF CERTIFICATE

No. MC 19201, PENNSYLVANIA TRUCK LINES, INC., 110 South Main Street, Pittsburgh 20, Pa. Applicant's attorney: Robert H. Griswold, Commerce Building, P. O. Box 432, Harrisburg, Pa. Certificate issued March 5, 1943, authorizes petitioner to transport, among other, *general commodities*, except dangerous explosives, over the following regular routes:

Between Spring Creek, Pa. and Belle Valley, Pa., from Spring Creek over Pennsylvania Highway 177 to Corry, Pa., thence over U. S. Highway 6 to Union City, Pa., thence over Pennsylvania Highway 97 to Erie, Pa., and thence over Pennsylvania Highway 8 to Belle Valley. (Pennsylvania Highway 177 is now designated Pennsylvania Highway 426.) Between Garland, Pa., and Ludlow, Pa.,

from Garland over Pennsylvania Highway 27 to Pittsfield, Pa., thence over U. S. Highway 6 to Ludlow.

Service over the above routes is subject, inter alia, to the following condition: No shipments shall be transported by said carrier as a common carrier by motor vehicle between any of the following points, or through or to or from more than one of said points: Philadelphia, Lancaster, York, Harrisburg, Erie, and Warren, Pa.

By this petition, petitioner requests that the proceeding at MC 19201 be reopened solely for the purpose of removing Erie, Pa., and Warren, Pa., as keypoints applicable to operations over the two routes described above.

APPLICATION FOR CERTIFICATES OR PERMITS WHICH ARE TO BE PROCESSED CONCURRENTLY WITH APPLICATIONS UNDER SECTION 5, GOVERNED BY SPECIAL RULE 1.240 TO THE EXTENT APPLICABLE

No. MC 116600, filed April 15, 1957, LEWIS CARTAGE LTD., 1531 Keele Street, Toronto, Ontario, Canada. Applicant's attorney: Kenneth T. Johnson, Bank of Jamestown Building, Jamestown, N. Y. For authority to operate as a common carrier, over irregular routes, transporting: *Commodities* classified as (a) *meat, meat products, meat byproducts*; (b) *dairy products*; and (c) *articles distributed by meat packing houses*, in appendix to report in Modification of Permits—Packing House Products, 46 M. C. C. 23, from the boundary of the United States and Canada at Buffalo and Niagara Falls, N. Y. to points in New York on the west of a line beginning at Port Ontario, N. Y., thence over New York Highway 49 to Utica, N. Y., thence over New York Highway 8 to Deposit, N. Y., thence over New York Highway 17 to junction U. S. Highway 11, and thence over U. S. Highway 11 to the New York-Pennsylvania State line; those in Pennsylvania on, west and north of a line beginning at Tuna, Pa., thence over U. S. Highway 219 through Bradford, Pa., to Ebensburg, Pa., thence over U. S. Highway 22 through Pittsburgh, Pa., to the Ohio-Pennsylvania State line; and those in Ohio on, north and east of a line beginning at Steubenville, Ohio, thence over U. S. Highway 22 to Cadiz, Ohio, thence over U. S. Highway 250 to Ashland, Ohio, and thence over Ohio Highway 58 to Lorain, Ohio.

NOTE: Applicant is authorized to conduct the above operations as a contract carrier under Permit No. MC 93476. Section 210 may be involved. This matter is directly related to MC-F 6508. Applicant states that the purpose of this application is that in the event that the facts developed at the hearing should be such as to convince the Commission that the Certificate and Permit could not be held consistent with the public interest, then the applicant respectfully requests that the contract rights which the applicant holds by virtue of Permit No. MC 93476 be changed to common carrier rights for the identical commodities and for the identical destination territory.

APPLICATIONS UNDER SECTIONS 5 AND 210a (b)

The following applications are governed by the Interstate Commerce Commission's special rules governing notice

of filing of applications by motor carriers of property or passengers under sections 5 (2) and 210a (b) of the Interstate Commerce Act and certain other procedural matters with respect thereto. (FEDERAL REGISTER, Volume 21, page 7339, § 1.240, September 26, 1956.)

MOTOR CARRIERS OF PROPERTY

No. MC-F 6561 (correction) published in the April 24, 1957, issue of the FEDERAL REGISTER on page 2894. The transaction should have been shown as *control and merger* rather than *merger*.

No. MC-F 6564. Authority sought for purchase by NEPTUNE STORAGE, INC., 369 Huguenot Street, New Rochelle, N. Y., of the operating rights and property of E. H. WARREN COMPANY, 925 Lysander Avenue, Detroit, Mich., and for acquisition by DAVID KIRSCHENBAUM, HENRY KIRSCHENBAUM and RICHARD KIRSCHENBAUM, all of Harrison, N. Y., and DORIS GOLDSTEIN, New Rochelle, N. Y., of control of such rights and property through the purchase. Applicants' attorneys: Henry Thalenfeld, Bennett Bldg., Public Square, Wilkes-Barre, Pa., and S. S. Eisen, 140 Cedar Street, New York 6, N. Y. Operating rights sought to be transferred: *Household goods*, as defined by the Commission, as a common carrier over irregular routes between points in Illinois, Indiana, Ohio, Pennsylvania, New Jersey, New York, and the lower peninsula of Michigan, and between points specified above, on the one hand, and, on the other, points in Alabama, Arkansas, California, Connecticut, Delaware, Florida, Georgia, Iowa, Kansas, Kentucky, Maryland, Massachusetts, the upper peninsula of Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, North Carolina, North Dakota, Oklahoma, Rhode Island, South Carolina, Tennessee, Virginia, West Virginia, Wisconsin, and the District of Columbia. Vendee is authorized to operate as a common carrier in all states in the United States and the District of Columbia. Application has not been filed for temporary authority under section 210a (b).

No. MC-F 6565. Authority sought for purchase by RUAN TRANSPORT CORPORATION, 408 South East 30th Street, Des Moines, Iowa, of the operating rights and certain property of TRANSIT, INC., Carter Lake, Iowa, and for acquisition by JOHN RUAN, also of Des Moines, of control of such rights and property through the purchase. Applicants' attorney: Rex H. Fowler, 510 Central National Building, Des Moines 9, Iowa. Operating rights sought to be transferred: *Petroleum products*, in bulk, as a common carrier over a regular route from Arkansas City, Kans., to Potter, Nebr., serving certain intermediate and off-route points; *petroleum products, petroleum, gasoline, lard, tallow, greases, other than petroleum greases, fatty acids, herbicides, insecticides, liquid fertilizers* (including anhydrous ammonia, nitrogen fertilizer solutions and ammoniated hydrogen solutions), *molasses, corn syrup, soybean oil, alcohol, and sulphuric acid*, (all of the above-mentioned commodities being transported in bulk in tank vehicles), over irregular routes,

from, to or between points and areas, varying with the commodity transported, in Iowa, Kansas, Nebraska, Missouri, Colorado, South Dakota, Minnesota, Oklahoma, North Dakota, and Illinois; *liquid petroleum products*, in bulk, from refining and distributing points in Kansas to Dorchester, Nebr.; *contaminated sulphuric acid*, from points in Iowa, Missouri, and Nebraska to the site of the plant of the U. S. Industrial Chemical Company, about six miles west of De Soto, Kans.; *petroleum products*, in bulk, in tank vehicles, as described in Appendix XIII to the report in *Descriptions in Motor Carrier Certificates*, 61 M. C. C. 209, from Geneva, Superior, and Doniphan, Nebr., to points in Kansas on and north of U. S. Highway 40; *petroleum and petroleum products*, in bulk, in tank vehicles, as described in Appendix XIII to the report in *Descriptions in Motor Carrier Certificates*, 61 M. C. C. 209, from Sidney and North Platte, Nebr., to points in South Dakota west of the Missouri River, and from the Kaneb pipeline terminal near Geneva, Nebr., to points in South Dakota. Vendee is authorized to operate as a common carrier in Iowa, Illinois, Wisconsin, Minnesota, Missouri, Nebraska, Kansas, North Dakota, and South Dakota. Application has not been filed for temporary authority under section 210a (b).

By the Commission.

[SEAL]

HAROLD D. McCoy,
Secretary.

[F. R. Doc. 57-3525; Filed, Apr. 30, 1957;
8:48 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 1-2253]

EUREKA CO.

ORDER AND NOTICE OF HEARING

APRIL 24, 1957.

I. Eureka Company (hereinafter called "Registrant"), a corporation organized and incorporated under the laws of the State of Nevada, filed an application for registration of its common stock, 10 cents par value, with the San Francisco Mining Exchange ("the Exchange") on or about November 13, 1935, on Form 10, pursuant to section 12 of the Securities Exchange Act of 1934 ("the Exchange Act") and the rules and regulations adopted by the Commission thereunder and filed a duplicate original Form 10 with the Commission on that date. The registration became effective on June 1, 1936.

II. The Commission has reason to believe that the registrant has failed to comply with the provisions of section 13

of the Exchange Act in the following regards:

1. The registrant failed to file with the Exchange and the Commission, within ten days after the close of each such month, current reports on Form 8-K for the months of January through June, 1956, August, 1956, and February, 1957.

2. The current reports for months during 1956 referred to in paragraph 1 were filed with the Commission on November 19, 1956. The current report for the month of February, 1957, was filed on March 20, 1957. Each of these reports failed to furnish information with respect to the acquisition of various oil, gas, and mining properties and other physical assets in exchange for registrant's common stock, as required by Item 2 of Form 8-K, and each such report falsely claimed an exemption from the registration requirements of the Securities Act of 1933 for each such exchange transaction.

3. The registrant has failed to file a current report on Form 8-K for the month of November, 1956, furnishing information with respect to the issuance of 1,020,000 shares of its common stock to two individuals in exchange for oil and gas leases in Morgan County, Colorado.

4. The registrant has failed to respond to Item 8 in its current report on Form 8-K for the month of February, 1957, furnishing information as to a decrease in the amount of its outstanding common stock of 515,000 shares.

5. The registrant has failed to file an annual report on Form 10-K for the year 1955 and semi-annual reports on Form 9-K for the fiscal periods ending June 30, 1955 and June 30, 1956.

III. On October 10, 1955, the registrant filed with the Commission a proxy statement pursuant to section 14 of the Exchange Act and Regulation X-14 adopted thereunder with respect to its annual meeting of stockholders for November 14, 1955. The Commission has reason to believe that the proxy statement was false and misleading in the following particulars:

1. In representing to stockholders in connection with soliciting authorization to increase the number of authorized shares from 1,500,000 to 5,000,000 that there was no present intention with respect to the issuance of such shares.

2. In omitting to state that negotiations were pending for the acquisition of five quicksilver claims from West End Optica Mines in exchange for 100,000 shares of the registrant's common stock and for legal, resident, and transfer fees in exchange for 130,000 shares.

IV. It is ordered, That a public hearing, pursuant to section 19 (a) (2) of the Exchange Act, be held at 10:00 a. m., p. d. s. t., on May 29, 1957, at the offices of the San Francisco Regional Office of the

Commission, Pacific Building, 821 Market Street, San Francisco, California, to determine whether it is necessary or appropriate for the protection of investors to suspend for a period not exceeding twelve months, or to withdraw, the registration of the common stock of the registrant on the San Francisco Mining Exchange for failure to comply with section 13 of the Exchange Act and the rules and regulations adopted thereunder, as set forth in paragraph II above and for making false and misleading statements and omissions in a proxy statement filed with the Commission under section 14 of the act and the rules and regulations adopted thereunder, as set forth in paragraph III above.

It is further ordered, that Mr. Sidney L. Feiler is hereby designated and assigned as Hearing Officer in this proceeding and is authorized to perform in accordance with law.

Notice of such hearing is hereby given to registrant, the San Francisco Mining Exchange and to any other person or persons whose participation in such proceeding may be necessary or appropriate in the public interest or for the protection of investors. Any such further persons desiring to be heard in such proceeding should file with the Hearing Officer or with the Secretary of the Commission on or before May 27, 1957, his application therefor, as provided by the rules of practice of the Commission, setting forth therein any of the above matters or issues of fact or law upon which he desires to be heard and any additional issues he deems raised by the aforesaid order.

By the Commission.

[SEAL]

ORVAL L. DuBois,
Secretary.

[F. R. Doc. 57-3516; Filed, Apr. 30, 1957;
8:47 a. m.]

OFFICE OF DEFENSE MOBILIZATION

[Expansion Goal No. 227, Revision 1]

ROLL-ON, ROLL-OFF SHIPS

REVISION OF GOAL

1. Expansion Goal for roll-on, roll-off ships is revised to delete the time limitation for filing of firm contracts for vessel construction.

2. All other provisions of the goal remain the same.

Dated: April 25, 1957.

OFFICE OF DEFENSE
MOBILIZATION,
GORDON GRAY,
Director.

[F. R. Doc. 57-3517; Filed, Apr. 30, 1957;
8:47 a. m.]